

Ad Hoc Advisory Board Reports

Volume 6

Stakeholder Findings and Findings of Fact

Strengths, Weaknesses, Opportunities and Threats
Affecting the Juvenile Justice System of Louisiana



January 27, 2003

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PREFACE

This Volume contains two types of findings developed under the Advisory Board's process. The Stakeholder Findings contain statements developed by the Advisory Board from multiple sources on the strengths, weaknesses, opportunities, and threats affecting five categories of juvenile justice issues in Louisiana:

- attitudinal and ideological issues
- research, planning and evaluation issues
- restructuring and financial issues
- prevention, education, and treatment issues
- issues relating to the law and the administration of justice

The Stakeholder Findings also contain copious notes indicating the sources of each finding or relevant information pertaining to each finding. The sources include the oral testimony of the two-rounds of public hearings, the written comments received from the comment cards, the Comprehensive Strategy Survey, and the Agency Surveys, the opinions of national advisors, and research.

The Findings of Fact provide a summary of relevant statistical data and research on either the state, the nation, or the entire field of juvenile justice.

The information contained in this Volume was intended to address two needs. The Stakeholder Findings were developed primarily to serve the Advisory Board as a framework for formulating the recommendations contained in Volume 7. The Stakeholder Findings and Findings of Fact were also developed to assist the Children's Cabinet and other agencies in the process of implementing juvenile justice reform. The information in this Report can be used to develop and maintain a strategic plan for juvenile justice in Louisiana. It can also be used to spur and motivate further research, grant solicitation, and other actions relating to juvenile justice reform and restructuring.

Juvenile Justice Commission

Stakeholders Findings

January 6, 2003

Introduction

This document, entitled Stakeholders Findings is primarily based on the Juvenile Justice Commission Advisory Board's brainstorming meeting held on July 11, 2002. At that meeting, the participants, assisted by facilitators and recorders, identified in the form of short, bullet-type statements their views of the strengths, weaknesses, opportunities, and threats affecting five categories of juvenile justice issues in Louisiana: attitudinal and ideological issues; research, planning and evaluation issues; restructuring and financial issues; prevention, education, and treatment issues; and issues relating to the law and the administration of justice.

The methodology of analyzing strengths, weaknesses, opportunities, and threats (SWOTS) was used at the meeting for a number of reasons. First, the methodology is generally regarded in the literature and practice of strategic planning as a tool for quickly identifying group consensus. Secondly, the SWOTS methodology provides a more comprehensive foundation for the development of recommendations and strategies than, for example, simply focusing on problems. It forces all participants to think of current strengths as well as weaknesses and future opportunities as well as threats. Recommendations and strategies naturally flow from the SWOTS analysis because they are directed at reinforcing current strengths, eliminating or remediating current weaknesses, seizing future opportunities, and averting future threats. Thirdly, the SWOTS methodology, because of its inclusion of strengths and opportunities, enables the process to be positive as well as negative, and induces participants to develop more strengths-based recommendations and strategies than otherwise.

The results of the SWOTS analysis developed on June 11, 2002 were subsequently consolidated and documented by the Planning Team into the draft narrative statements and notes contained in this document. In addition, the Planning Team also included in the narrative statements certain comments made at the Public Hearings, or through the survey instruments, or from other feedback gathered as part of the Advisory Board's process. The Notes at the end of this document refer to the following sources:

- **"Public Oral Testimony"** refers to the oral testimony provided at the first round of public hearings held in January and February of 2002. The numbering system is the same one used in the Digest of Comments and Other Testimony Presented at the Public Hearings of the Juvenile Justice Commission. The numbers identify the summary statements made in the Digest by providing an abbreviation for the location in which the statement was made, the place in the Digest where the statement is located, and the identify of the person making the statement. For example, "p. 10, Statement 18, MON3," refers to statement 18 located on page 10 of the Digest, a statement that was made by the third speaker at the Monroe public hearing.
- **"Written Comments"** refers to the written comments submitted at the first or second round of public hearings, either directly, or on the public

hearing comment cards, or on the Comprehensive Strategy Survey form, or later by mail or e-mail. The numbering system refers to the city from which the comment was received and the number of the statement being made. For example, "Lincoln #1" refers to the first statement from Lincoln Parish as presented in Volume 4 of the Reports.

- **"Agency Comments"** refers to the written comments submitted either by a judge, a sheriff, a clerk of court, or an indigent defender on the Agency Survey forms sent by the Planning Team to all key courtroom stakeholders except the district attorneys who declined to participate in the survey.
- **"Advisory Board"** refers to the statements made by Advisory Board members and other participants in the Brainstorming sessions held on November 20, 2001 or July 11, 2002. The letter in each label refers to the brainstorming workshop in which the statement was made; the number refers to the specific statement being made.
- **"Research"** refers to a selected number of books, periodical articles, and website articles that discuss pertinent issues relating to a statement.

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1.00 Attitudinal and Ideological Issues

Strengths:

- 1.1S **The Need for Juvenile Justice Reform.** We find that a growing number of leaders and members of the general public of Louisiana are convinced that reforming the juvenile justice system of Louisiana is essential to the state's future well being. See, for example: Chief Justice Pascal F. Calogero, Jr., 2001 State of the Judiciary Message to the Legislature, April 10, 2001; House Concurrent Resolution 94 of the 2001 Regular Session, which established the Commission; Governor "Mike" Foster, Welcoming Address, Organizational Meeting of the Commission and the Advisory Board, November 1, 2001; and the Louisiana Council of Juvenile and Family Court Judges and the Louisiana City Court Judges Association, Joint resolution in support of the Commission, January, 2002. Several presenters at the Commission's Public Hearings also stated the need for reform in various ways. The need for juvenile justice reform in Louisiana is also reinforced by a growing awareness of the same need, nationally and globally, supported by the findings of juvenile justice research.
- 1.2S **Broad Principles of Agreement.** We find that many people in Louisiana agree on the broad principles to be used in guiding the reform of the juvenile justice system of Louisiana, and are committed, sometimes passionately, to the actualization of these principles through meaningful changes. See, for example, the following findings: 1.3S; 1.1O; 2.1O; 2.2O; 2.3O; 2.6O; 2.7O; 3.1O; 3.2O; 3.3O; 3.6O; 4.1O; 5.8O; A2; A4; A8; A9; A10; A17; A18; B2; B3; B4; B7; B8; B9; B10; B11; B12; B13; B16; B17; B18; B20; B26; C1; C2; C3; C4; C6; C7; C8; C9; C15; C16; C18; C21; C22.
- 1.3S **Juvenile Justice Reform Is Everybody's Business.** We find that many people in Louisiana understand that the reform and restructuring of the juvenile justice system is not just the task of state government. They understand that real reform and restructuring will require the active participation of local governments, schools, colleges, universities, faith-based groups, business and labor associations, communities, families, and dedicated individuals. Several speakers at the Commission's Public Hearings mentioned this theme. Current research in juvenile justice also supports the need for individual and multi-system involvement.
- 1.4S **Dedicated, Talented People.** We find that Louisiana is fortunate to have many dedicated, talented people who work in the state's juvenile justice "system." Many of these people, including public defenders, prosecutors, law enforcement personnel, court personnel, caseworkers, corrections officers, service providers, and many others are poorly compensated, have heavy caseloads, and are insufficiently acknowledged for their contributions to juvenile justice. Despite these difficulties, these people -- some of whom work for the state, local

government, or local non-profit agencies -- are not only the backbones of the current system; they are, for the most part, in the vanguard of those advocating reform and collaborating.

- 1.5S **Spirit of Voluntarism.** We find that the spirit of voluntarism is generally high in most Louisiana communities and that this spirit can be further tapped to assist children who either are, or are at risk of being, in the juvenile justice system. According to the United Way State of Caring Index, Louisiana showed the greatest improvement of all of the states during the period 1988 to 1999, the last reported year of the Index.
- 1.6S **Advocacy.** We find that Louisiana is fortunate to have several effective child advocacy programs. Such organizations are helping to build a consensus regarding the need to put children first and to reform and restructure the juvenile justice system of Louisiana. In addition, we find that there is a growing public awareness of the importance of the juvenile justice system and its impact on the community, as well as a growing willingness on the part of private sector organizations to assist the juvenile justice system.
- 1.7S **Need for Separate Juvenile Justice System.** We find that there is a broad consensus among all stakeholder groups that juvenile justice needs to be in a system separate from adult criminal justice.

Weaknesses:

- 1.1W **Lack of Awareness of the Scope of Needed Reform.** We find that there are many leaders and members of the general public in Louisiana who are not aware of the need for fundamental reform of the juvenile justice system. Some believe that the state is doing the best it can with its limited resources and are comfortable with the state's current policies regarding juvenile justice. Others are aware of the need for improved efforts in certain areas -- for example, increased funding, communication, coordination, and training -- but do not see any reason to fundamentally change many existing policies or the state's current system of organization and financing.
- 1.2W **Apathy and Unwillingness to Change.** We find that some leaders and members of the general public are apathetic and are unwilling to change their views on juvenile justice. Many problems in the juvenile justice system -- for example, the serious under-funding of public defenders and other key personnel, the severe shortage of mental health and substance abuse services, the fragmentation of services -- have persisted for many years and have been virtually disregarded.
- 1.3W **Lack of Trust.** We find that there is a lack of trust among agencies involved in juvenile justice. This lack of trust is often manifested in turf battles and finger pointing among agencies. In addition, many persons working in such agencies are afraid of change, even to the point of being unwilling to consider and discuss

certain issues. Many persons apparently believe that the sharing of power is equivalent to the relinquishment of power. Others are afraid of powers being transferred to or from their existing agencies, because such transfers might involve new training and learning requirements. There is also a lack of trust among the general public in the efficacy of the system.

- 1.4W **Lack of Leadership.** We find that, in the past, there has been a lack of effective leadership with respect to aggressive efforts to reform and restructure the juvenile justice system. We acknowledge the current level of involvement and leadership shown by all three branches of state government, representatives of local government, private sector and community leaders, and others in the work of this Commission. However, we know that even greater efforts in leadership are necessary to effect meaningful reform and restructuring of the "system."

Opportunities:

- 1.10 **Juvenile Justice Commission.** We find that the support and assistance given to the Joint Legislative Juvenile Justice Commission and its Advisory Board by the Governor and others in the executive branch, the Legislature, and the Judiciary provide a unique opportunity for reinforcing, developing, and sustaining the attitudinal and ideological consensus necessary to effect the needed reform and restructuring of the Louisiana juvenile justice system. We find that the Commission's planning process and its recommendations can provide numerous opportunities for:

- reform and restructuring;
- greater understanding of the need to put children first and to have this theme reflected adequately in the state budget and in our individual and collaborative actions;
- greater public awareness of the need for juvenile justice reform;
- reducing apathy and reluctance to change;
- greater understanding of the need for a seamless, comprehensive continuum of services;
- greater coordination, communication, and collaboration among juvenile justice agencies;
- greater recognition and understanding of the need to make increased investments in prevention and early intervention;
- increased training for all persons involved in juvenile justice;
- greater understanding of the need for community-based services;
- using risk factors to assist decision-making;
- greater acceptance of family-based decision-making;
- learning about "best practices";
- greater understanding of the need for transitional services for incarcerated youth;
- greater accessibility, expansion and enhancement of juvenile justice services;

- greater focus on what is needed now;
- greater support for after-school and extra-curricular school services;
- greater parent accountability;
- greater use of empirically validated approaches to services;
- improvements in assessing the needs of the system;
- a better understanding of the "big picture" and a better understanding of how children are processed by the system;
- improved statewide funding;
- greater recognition that incarceration is one effective and/or necessary solution for some delinquents and that incarcerated youth will one day return to their home communities;
- developing alternative programs.

1.2O **Active Involvement of Judges.** We find that the active involvement of judges in the work of the Commission, as exemplified by the actions of Chief Justice Calogero and the resolutions submitted by the Louisiana Council of Juvenile and Family Court Judges and the Louisiana Association of City Court Judges, provides numerous opportunities for meaningful reform of the system.

1.3O **Putting Children First.** We find that there are a growing number of people who are convinced that the welfare of children should be the state's highest priority and that this emerging consensus could become an opportunity for promoting and obtaining real juvenile justice reform in Louisiana.

1.4O **The Children's Cabinet and Budget.** We find that the Children's Cabinet and its Advisory Committee, as well as the Children's Budget, can create numerous opportunities for communicating, motivating, and facilitating reform and restructuring of the juvenile justice system of Louisiana.

1.5O **Local Resources.** We find that many resources at the local level are ready and eager to assist the state in reforming and restructuring juvenile justice in Louisiana. Local governmental juvenile justice agencies, local service collaboratives, local and regional juvenile justice coordinating councils, and many other local organizations can be enlisted and mobilized in the effort to reform and restructure the system, especially with respect to the development and implementation of public awareness strategies, local and regional comprehensive strategies, balanced and restorative justice programs, and the delivery of community-based treatment and correctional services.

1.6O **Public Awareness.** We find that there are numerous resources available for designing and conducting a public awareness program on the need to implement juvenile justice reform and restructuring in Louisiana.

1.7O **The Goals of Juvenile Justice.** We find that there is an opportunity to agree on the following inter-related goals of the juvenile justice system of Louisiana:

- Prevention:

- (a) to prevent child abuse, neglect, and abandonment;
- (b) to prevent domestic abuse;
- (c) to prevent pre-delinquency and delinquency;
- (d) to prevent adult crimes against children and youth.
- Protection:
 - (a) to protect children and their family members against child and domestic abuse;
 - (b) to protect individuals and society against pre-delinquent and delinquent acts.
- Rehabilitation:
 - (a) to rehabilitate children who have been abused, neglected, or abandoned;
 - (b) to rehabilitate family members who have abused, neglected, or abandoned children or who have been abusive to other family members;
 - (c) to rehabilitate children who have committed pre-delinquent or delinquent acts.
- Restoration:
 - (a) to assist children who have been the victims of abuse, neglect, or abandonment in either returning to their families, or in finding other permanent, supportive homes as quickly and as effectively as possible;
 - (b) to assist victims of domestic abuse in restoring normalcy in their lives;
 - (c) to assist and compensate victims of pre-delinquent and delinquent acts for the harm done to their persons and property;
 - (d) to restore rehabilitated pre-delinquent and delinquent youth as well-adjusted and productive members of society.

Threats:

1.1T **Inhibiting Attitudes.** We find that the greatest threats to juvenile justice reform and restructuring are attitudinal. We are concerned that too many of the state's leaders and members of the general public cling to beliefs that make juvenile justice reform and restructuring virtually impossible. Included among these beliefs are the following:

- "bad kids" can't be reformed and rehabilitated
- the only solution to a "bad kid" is punishment
- the best way to deal with youth crime is to simply lock-up offenders and keep them in prison as long as possible
- "bad parents" can't be rehabilitated
- nothing can be really changed; reform is impossible
- the state is doing the best it can; the system doesn't need major fixes
- we should "write off" seriously troubled youths as being incorrigible
- people who advocate rehabilitation are soft on crime
- all parents who have children with problems have failed their children
- we don't have the money to do better

- 1.2T **Business as Usual.** We find that, if systemic inertia is not overcome through passage and adoption of substantive reforms in the juvenile justice system, Louisiana will continue to operate a fragmented system which costs more and produces less than it should.
- 1.3T **Burn-out, Frustration, and Fatigue.** We find that reform and restructuring are also impaired by the relatively widespread feelings and attitudes manifested in symptoms of burn-out, lack of zealousness, fatigue, anger, and frustration.
- 1.4T **Bad Economy.** We find that poor economic conditions can seriously curtail the state's ability to address meaningful juvenile justice reform.
- 1.5T **Disproportionate Minority Representation.** We find that children with the following socio-economic characteristics are over-represented in the juvenile justice system: (1) poverty; (2) product of out of wedlock birth; (3) product of teenage pregnancy; (4) growing up in a household with (a) single parent, (b) an unemployed parent, (c) a parent with an untreated mental illness or substance abuse problem; or (5) child is (a) educationally unsuccessful/performing below grade level, or, (b) abusing substances. Unfortunately, minority children are over represented in many of these socio-economic categories. Additionally, some sociological studies have reached conclusions that there is actual bias against minority children at each of the critical stages of the juvenile justice system, adding to the over-representation of minority children in the juvenile justice system. There is a perception among some in the State of Louisiana, especially among minorities, that minority children are not fairly treated within the juvenile justice system.

2.00 Research, Planning, and Evaluation Issues

Strengths:

- 2.1S **Availability of Some Juvenile Justice Data.** We find that Louisiana is building the infrastructure to gather and electronically process juvenile justice data for use in research, planning and evaluation. Juvenile justice data is expected to become increasingly available through the State's new Information Technology Office, especially its Louisiana Data Base Catalog. Data is currently available through the "Juvenile Information and Records Management System" of the Department of Public Safety and Corrections. In addition, data will also be available from the Department of Education's Data Warehouse, the state's performance budgeting system, the performance audits of the Legislative Auditor and the Supreme Court, the Integrated Criminal Justice Information System, the new SACWIS system of the Department of Social Services (LAKIDS), the Court Management Information System (CMIS) of the Supreme Court, the Louisiana Protective Order Registry (LPOR) of the Supreme Court; the Integrated Juvenile Justice Information System (IJJIS) of the Supreme Court, the Drug Court Information of the Supreme Court and the web sites of the various branches, departments, and agencies of the state. Another strength is that database managers and researchers are increasingly recognizing the need to organize, package, and illustrate data for quicker and better understanding by policy makers and the general public.
- 2.2S **Availability of Researchers.** We find that Louisiana has many capable researchers who are interested in performing studies and other research on juvenile justice planning, programming, financing, and evaluation. These researchers, who come from universities, agencies of government, and private firms and who represent many disciplines, can be enlisted in an ongoing effort to promote and sponsor continuing research into juvenile justice issues specific to Louisiana. In addition to the availability of local research, the state is fortunate to have access to an abundance of national research on juvenile justice issues, many of which are specific to Louisiana. The availability of this local and national research has enabled the Commission to better identify problems and issues, as well as good practices and effective models.
- 2.3S **Recognition of the Need for a Knowledge-Based Approach to Planning, Programming, and Evaluation.** We find that there is recognition throughout the state of the need for a knowledge-based approach to juvenile justice planning, programming, and evaluation. Many people testified at the Commission's public hearings on the general need for such an approach and on the specific need for outcomes-based evaluation, the use of automated technology, and the need for data sharing among agencies.
- 2.4S **Involvement of Key Leaders and Inter-Governmental Staffs.** We find that the involvement of many key leaders has been an effective and important tool in the

planning process of the Commission. The Advisory Board represents a broad range of stakeholders in the system, consisting of groups and interests from the executive and judicial branches of state government, local government, and private agencies, each having unique knowledge and experience of the system. In addition, the process has been assisted by an inter-governmental planning staff from all three branches of state government and by a research team drawn from all public university systems in the state. The experience of these leaders and staffs in the planning process is an important strength for the development and implementation of the recommendations of the Commission.

2.5S Public Involvement. We find that the Commission's public hearing process was an important and effective tool for gathering public opinion on the problems and needs of the juvenile justice "system" in Louisiana. Approximately 1,235 persons signed-in as participants at the Commission's first-round of nine public hearings held in January and February of 2002 in Baton Rouge, Lafayette, Lake Charles, Alexandria, Shreveport/Bossier, Monroe, Greater New Orleans-West Bank, and Greater New Orleans-East Bank. Approximately 319 persons testified at these hearings, providing information on a range of issues including funding, prevention and early intervention, assessment and early identification of needs, accountability and evaluation, information and referral services, the causes and effects of juvenile justice problems, the role of various institutions, incarceration and other approaches to sanctions, prevention, educational, and treatment services, and law and the administration of justice. In addition, more than 600 persons completed and turned in the questionnaire on the comprehensive strategy distributed at the hearings, as well as other written materials. In addition, the Commission's use of a web site has been another strength in its planning process. There have been more than 8,283 visits to the site since its creation in December of 2001; and approximately 100 persons have contributed information through the site. The involvement of the public and its potential development into a strong constituency for the reform and restructuring of the juvenile justice "system" of Louisiana is an indispensable strength.

2.6S Assistance from Nationally Recognized Authorities on Juvenile Justice. We find that the Commission has been fortunate to receive the assistance of several nationally recognized authorities during its planning process. The National Conference of State Legislatures assisted the Commission in its organization and provided numerous reports and lists of contacts throughout the planning process. The Juvenile Justice Center of the American Bar Association, the Child Welfare League of America, and the National Center for Juvenile Justice contributed advice and counsel, numerous reports, lists of contacts, and various other forms of technical assistance. The Annie E. Casey Foundation has provided a team of researchers to do an on-site study of juvenile incarceration in Louisiana and has performed other services to the Commission at the Foundation's expense. The assistance of these nationally recognized authorities has enabled the Commission to better identify problems and issues, find good models of practice, and locate other needed resources.

Weaknesses:

- 2.1W **Lack of Overarching Vision.** We find that there is a lack of an overarching vision or policy framework for defining the juvenile justice system and for guiding its reform and restructuring. We find that the development of a vision statement is critically important as a tool for setting forth the values and basic framework upon which Louisiana's juvenile justice system should be built and sustained.
- 2.2W **Lack of Strategic Planning.** We find that Louisiana does not have a strategic planning process for guiding the development of its juvenile justice system. Strategic planning is an important tool for helping a group of people determine where it wishes to go over the next few years, how it is going to get there, and how it will know if it got there or not.
- 2.3W **Lack of a Comprehensive Repository of Juvenile Justice Data.** We find that there is no comprehensive repository of juvenile justice information in the state. Ideally, a comprehensive repository of data should contain: statistical data, bibliographic information, and directory type information on all aspects of the juvenile justice system. The Louisiana Data Base Catalog has some of this information. It has, for example, several reports on the status of children in its database, including Children in the States, Kids Count, Variations in Teenage Birth Rates, the Louisiana Children's Budget, Births: Final Data for 2000, Child Maltreatment and TANF Program Financial Data. It also has in its database: Homicide Victimization and Offending Rates of Juveniles and Young Adults by State, 1976-1999, Juvenile Arrests, 1999, Crime in the United States: Uniform Crime Reports, and The Supreme Court of Louisiana's Annual Reports. The Data Base Catalog's repository, however, does not contain bibliographic data on reports and studies of Louisiana Juvenile Justice System; nor does it have directory type information on services. The Department of Education's Data Warehouse could be another important repository for some juvenile justice issues, especially those relating to education, but it too would not contain all needed juvenile justice data.
- 2.4W **Lack of Monitoring and Evaluation.** We find that many juvenile justice services are not monitored and evaluated systematically and that the current conglomeration of services is not knowledge-based, i.e., organized for effective monitoring and evaluation. Sometimes there has been a failure to address the results of current evaluations. Some agencies are afraid of evaluations and do not see their value as tools for continuous improvement. Several persons testified at the Commission's public hearings concerning the need for such monitoring and evaluation.
- 2.5W **Lack of Management Information Systems.** We find that Louisiana's juvenile justice efforts are seriously impaired by the lack of automated management information systems capable of providing timely and accurate information for the

improvement of juvenile justice planning and case management. The few existing management information systems in Louisiana are generally limited to one case type (delinquency, child support, etc.) or functional use (financing, docketing, etc). There are no management information systems in Louisiana capable of integrating all case types and functions of a court or agency or for permitting automated data sharing among agencies. Several persons testified at the Commission's public hearings regarding the need for automated management information systems.

- 2.6W **Lack of Data Sharing.** We find that there is a lack of data sharing among various juvenile justice agencies in terms of either manual or automated processes. This problem is influenced by many factors, including turf issues, fear that the data shared may be misused to harm the source agency, fear of accountability and evaluation, and federal and state confidentiality laws. Several persons testified at the Commission's public hearings regarding this need. There is also an abundance of research on the need for greater data sharing.
- 2.7W **Problems with Research and Planning.** We find that there are many problems with juvenile justice research and planning in the state. There is a lack of sharing, collaboration, and coordination of research among researchers in the state, and between researchers and practitioners. There is a failure on the part of researchers and planners to disseminate their information and plans, especially in user-friendly formats. Some research is poorly designed and provides little or no useful information. There is a lack of needed infrastructure to support research into juvenile justice issues, and a general lack of investment in comprehensive research into juvenile justice issues. There is too much duplication of research in some fields. There is a failure on the part of policy makers and agencies to respond to research and evaluations, especially critical outside research; and, as a consequence, there is reluctance on the part of some researchers to do certain research or to submit their findings in political arenas. Some agencies and policy makers misuse statistics in their presentations. Some agencies and policy makers avoid using existing data and needs assessments. Many people within and outside government complain about the lack of implementation of plans and the fact that most plans sit on shelves and are not addressed. Planning in the past has been focused on eliminating problems and not enough on building our strengths. There has been a general failure to get input from all stakeholders in our planning processes.
- 2.8W **Lack of Accountability.** We find that there is a need for accountability among delinquent youth in the juvenile justice system and among agencies and programs dealing with juvenile justice. If we are to hold youth offenders accountable for their delinquent acts, accountability must be integrated into every aspect of the juvenile justice system. At the same time, we must also hold accountable all agencies and programs involved in the system. Many agencies and programs, however, are afraid of evaluation and regard it as a form of "grading" or "finger pointing" rather than as a tool for continuous improvement.

Opportunities:

- 2.10 **Opportunities from Existing Research and Models.** We find that Louisiana's efforts to reform and restructure its juvenile justice system can benefit from the research and reform efforts promoted by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), by various juvenile justice associations, and by many efforts already underway in many states. It can also benefit from successful local models already in use in the state. There is no need to reinvent the wheel.
- 2.20 **Opportunities from New Research.** We find that Louisiana has the opportunity to promote, encourage and support new research into its juvenile justice "system." The state has access to numerous federal grants for such studies. It also has the resources to fund additional research. Key leaders in the state's legislative, executive and judicial branches are interested in such research and are promoting its use. The state has many public and private universities whose researchers can be encouraged to work with practitioners on needed studies. Such research can create greater public awareness and understanding of the issues and needs of the juvenile justice system. It can be used to improve the juvenile justice curriculum of colleges and universities and the quality of juvenile justice services. It can also be used to encourage and support greater communication and collaboration among public and private entities.
- 2.30 **Monitoring and Evaluation.** We find that Louisiana has the opportunity to create a system of standardized program monitoring and evaluation as it develops and funds existing and new juvenile justice programs.
- 2.40 **Annie E. Casey Foundation Study.** We find that the study conducted by the Annie E. Casey Foundation provides a unique opportunity for the state to determine whether it can reduce its over-reliance on juvenile incarceration and transfer funds currently used in incarceration services to programs involving prevention, assessment, early identification, and early intervention programs.
- 2.50 **Use of Technology and Information Systems.** We find that Louisiana has the opportunity, despite some fear of the use of technology in the state, to develop through various technologies better data gathering and dissemination, data sharing, and integrated management information systems.
- 2.60 **Comprehensive Strategy.** We find that the principles of the Comprehensive Strategy, as proposed by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), can provide a meaningful policy framework for the reform and restructuring of the juvenile justice system of Louisiana.
- 2.70 **Balanced and Restorative Justice.** We find that the principles of balanced and restorative justice can provide a useful policy framework for juvenile justice reform by holding offenders and families accountable, assisting victims,

developing preventive competencies in youth, and ultimately ensuring greater public safety.

Threats:

Note: See statements of weaknesses. Because virtually all of the threats identified in this issue category by the brainstorming groups on July 11th were simply more intensive restatements of the identified weaknesses in the category, the Planning Team decided not to include these statements as threats.

3.00 Restructuring and Finance Issues

Strengths:

- 3.1S **Recognition of Need for Restructuring.** We find that there is a growing recognition of the need for restructuring aspects of the juvenile justice "system" of Louisiana. Many agencies have acknowledged the lack of communication and coordination among juvenile justice agencies and appear to be willing to restructure their processes to attain greater inter-agency collaboration. Courts have recognized the need for restructuring by creating specialized divisions. Some district courts, for example, have created specialized sections to handle juvenile cases or domestic cases. Some district and juvenile courts have created specialized sections to handle dependency cases. Several courts also have created specialized drug treatment courts. The need for restructuring state financing has been recognized. The Legislature has recognized that criminal court costs have gotten out of hand and need to be restructured, at least in terms of their application. In addition, several presenters at the Commission's public hearings recommended various restructuring proposals, involving department reorganization, the elimination of the rigid verticality of the state's current system of financing, the creation of a regional juvenile court system or a unified family court system, and other restructuring concepts. The fact that restructuring is even being discussed is itself a strength.
- 3.2S **Availability of Federal Funding.** We find that the availability of federal funding is absolutely critical to juvenile justice in Louisiana. In FY 2001-2002, federal funds contributed \$1.8 billion to the total Children's Budget of \$5.2 billion, or approximately 35% of the total Children's Budget. In addition to the direct cash assistance in the form of grants-in-aid, federal funding also provides research scholarships, technical assistance, databases on juvenile justice, and information on best practices. Federal funding encourages planning, evaluation, collaboration, data sharing, and many other policies and practices that have been found to be useful in juvenile justice. Another important aspect is the growth of federal funding and its flexibility for uses such as residential services. Despite these benefits, public defenders note that federal money is not available in Louisiana for indigent defense.
- 3.3S **Local Infrastructure.** We find that some local areas have the infrastructure and capacity for planning, managing, and delivering juvenile justice services. Some areas, for example, have criminal justice coordinating councils that have the expertise to manage federal and other funding. Some have local service collaboratives that are pursuing juvenile justice reform and restructuring in their respective areas. Such local infrastructure can provide strong models and networks for comprehensive statewide reform and restructuring, especially in terms of the development of community-based services. Several persons at the Commission's public hearings testified concerning the actions and availability of

such local infrastructure for comprehensive juvenile justice reform and restructuring.

- 3.4S **Budget Strengths.** We find that Louisiana's current budget has many strengths. The state budget includes a Children's Budget, which, with some adjustments, can become an excellent tool for measuring Louisiana's commitment to children and its progress in funding juvenile justice services. The budget system also provides an opportunity for departments of government to transfer funds internally from one budget code to another and to transfer funds from one agency to another. The initiatives include the Families in Need of Services (FINS) Assistance Program, the Truancy Assessment Service Centers, adult and juvenile drug courts, the Court-Appointed Special Advocate (CASA) program, the Children's Trust Fund and several other juvenile justice programs. In addition, as a result of the federal/state consent agreement, Louisiana is providing more treatment and educational services to children in secured care than ever before. Several persons at the Commission's public hearings testified about some of the benefits of the current budget system. Others noted in the Advisory Board meetings that the state currently does not provide money specifically for juvenile indigent defense.

Weaknesses:

- 3.1W **Lack of Communication, Coordination, and Collaboration.** We find that there is inadequate communication, coordination, and collaboration between and among existing juvenile justice services. Inter-agency sharing of resources is very limited. Turf battles occur within the system. Some agencies prefer to "stay within their lanes" and not collaborate. We find that there are numerous barriers to agency communication, coordination and collaboration. These include: the conflicts between the regulations, performance standards, and cultures of the various agencies, the competition for limited resources and funding streams, and the lack of understanding of how each agency's mission and programs complement and interact with those of other agencies. Several persons testified at the Commission's public hearings on the need for better communication, coordination, and collaboration among all agencies and stakeholders in the system. In addition, effective communication, coordination, and collaboration in juvenile justice have been identified as major needs by current research.
- 3.2W **Inadequate System of Financing.** We find that Louisiana's present system of financing juvenile justice services to be inadequate and problematic in several respects.
- Most of the state's financing of juvenile justice and children's services is organized into rather inflexible vertical domains, each claiming a separate piece of federal and state funding with very little collaboration among the domains for meeting the needs of each child in the system. The verticality of the system organizes different types of services into separated, insulated agencies and systems, and centralizes too much decision-making at a level

that is far removed from the actual problems and needs of individual children and their families.

- In the current system, there is inadequate coordination of funding with local government and with the private sector. State policy makers and agencies do not see the "budget" as a tool for leveraging local governmental and private-sector funding for juvenile justice, especially funds to match federal and other grants.
- The current system is often bureaucratically rigid, sometimes prone to the pandering of interest group politics, and seldom driven by comprehensive strategic insights which are knowledge-based. The current system of financing does not provide a means of coordinating the budgets submitted by each department. As a result, the budgetary requests of one department may put strains on the budgets of other departments. Many programs may be left not funded or under-funded because of the failure of the system to think in terms of function rather than in terms of department. There appears to be major resistance among departments to pool their funds and to have the funding directly related to the needs of the child. Some programs may overlap and duplicate one another. There is not enough shared responsibility for budgeting between and among the various agencies involved in aspects of juvenile justice. Budgeting is more reactive than proactive. There is general resistance to fiscal accountability. In addition, the number and complexity of service delivery functions make inter-agency coordination and public access even more difficult.
- The current system is categorical and narrowly targeted to efforts to provide defined units of services rather than to efforts to identify and address the multiple needs of children and families. Because many of the children in the juvenile justice "system" have a host of interrelated needs (rather than one or two discrete needs), this type of categorical funding can make it difficult or impossible to respond appropriately to the needs of children and families. The system needs to be flexible and able to blend funds from different sources
- The current system uses highly centralized governance structures that fail to reflect the close important relationships between children and families, and their communities. We need to reconfigure governance relationships to allow the building of comprehensive, community-based support systems.
- The current system lacks flexibility in its use of general funds and is overly dependent on federal funding and self-generated revenues, particularly criminal court costs, for the funding of courts and criminal justice agencies. In many cases, such court costs are inappropriately high and are really taxes disguised as user charges. At the same time, the state appears to be reluctant to propose new state revenues options for the funding of juvenile justice, even though, in the long run, the investment may save money.

Several persons testified at the Commission's public hearings on the need for overhauling the current system of financing. Current research also recommends financial restructuring.

3.3W **Organization and Culture of Existing Executive Departments.** We find that the current organization of the Departments of Social Services, Public Safety and Corrections, and Health and Hospitals needs to be modified. The rigid, vertical structures of the departments make it difficult, if not impossible, to share and pool funding; and the attitudes of the departments are not appropriate for the juvenile justice needs of the new millennium. Several persons testified at the public hearings of the Commission that the clients of one department are often denied services from other departments either because the children needing the services did not fit the client profile of the departments having the services or because the departments having the services felt that they only had sufficient resources to meet the needs of their own "clients." In other testimony, some departments acknowledged that they were simply not equipped to provide services to certain types of children with serious behavioral problems. Other persons testified that they felt that the Department of Public Safety and Corrections was not suited to provide the type and level of services needed by children in a reformed and restructured the juvenile justice system. Some felt that the departments were too bureaucratic. Several states have reorganized their departments to better accommodate central intake and case management, the consolidation of pools of revenue, and the provision of community-based, wraparound services.

3.4W **Under-funding of Juvenile Justice.** We find many of the key components of juvenile justice within Louisiana to be significantly under-funded. There is a shortfall of funds in the OCS budget for funding legal representation of the child or the child's parents in child dependency proceedings. There is a shortage of funding for after-care and transitional services. There is a severe deficit in the funding of those prevention and treatment services constituting the core of the continuum of services. There is a severe shortage of alternative sanctions - a shortage that contributes heavily to the state's over-reliance on juvenile incarceration. There is a lack of sufficient operating resources for FINS and, even more importantly, a lack of sufficient resources for funding FINS-related treatment programs. There is insufficient funding to continue many effective community-based programs, after their demonstration funds expire. In addition, there are significant regional disparities in the funding of juvenile justice services. Many funding streams are dedicated to certain uses and cannot be used flexibly. The funding for public defenders and prosecutors is very inadequate. Salaries are generally low, compared to any standard. Clerical and other support are virtually non-existent, and caseloads are excessively high. The problem is especially acute for many public defenders who, in addition to their low salaries and lack of support, also receive few or no health and retirement benefits. The problem of under-funding, however, is not restricted to public defenders and prosecutors. The salaries of caseworkers, probation officers, law enforcement personnel, corrections' officers, and court personnel are also low compared to national standards. There are already so many under-funded demands on the system that it is extremely difficult to envision the benefit of adding even more demands on it. Several persons testified at the Commission's public hearings on the level of under-funding in the current "system."

- 3.5W **Misplaced Juvenile Justice Priorities.** We find that the priorities expressed in the state operating budget, in terms of front-end priorities (prevention and early intervention) versus back-end priorities (detention and incarceration), are misplaced. Louisiana puts most of its juvenile justice funding on the back end and not enough on the front end. The State continues to fund programs that have not been proven to work. There appears to be an under-utilization of strength-based approaches to priorities. There is an over-centralization of service delivery and not enough funding of community-based services. In addition, there appears to be no strategy at any level for guiding the prioritization of funding. Public budgetary policy appears to be more reactive than proactive.
- 3.6W **Budgetary Commitment.** We find that the priorities expressed in the state budget clearly indicate that the state is not putting children first nor do these priorities show, at present, any serious concern for the reform and restructuring of the juvenile justice system. Sometimes, the legislative process is similar to a zero-sum game -- the only way to fund a new treatment service is to cut another one.
- 3.7W **Structure of the Judicial System.** The current judicial system, as it affects juvenile justice, includes 219 elected judges exercising juvenile and domestic jurisdiction in 7 different types of courts. The system includes: 7 justices at the Supreme Court; 53 judges at the 5 courts of appeal; 14 judges at the 4 juvenile courts having constitutionally defined exclusive juvenile justice jurisdiction; 4 judges at the Family Court of East Baton Rouge, approximately 109 judges handling juvenile and domestic cases at the 40 general jurisdiction district courts and the Orleans Parish Civil District Court; and approximately 36 judges at the 35 city courts and the 1 parish court having juvenile jurisdiction. The system also includes 208 other elected officials: 41 elected district attorneys; 66 elected clerks of court; 66 elected sheriffs; and 36 or so elected city court constables. We find that many of the problems impairing juvenile justice performance are deeply rooted in the way in which the judicial system is structured, governed, and financed. The current system, as it affects juvenile justice, is complicated, hard to understand, difficult to coordinate, and not very cost-effective. Since 1960, numerous studies have recommended the regionalization of the juvenile court system, a concept endorsed by at least three task forces of the Judicial Council of the Supreme Court. Since that time, many courts have also moved to specialize their operations (e.g. specialized juvenile courts, specialized divisions of juvenile courts; specialized drug treatment courts, the unified family court, etc.) In addition, several judges testified at the Commission's public hearings on the need for further specialization, and for the regionalization of the juvenile court system.
- 3.8W **Lack of a Juvenile Justice System.** We find that Louisiana's juvenile justice system is broken. The state has fragmented components of a system. A juvenile justice system should be:
- a continuum of well-planned, coordinated, comprehensive, developmentally appropriate, and accountable public and private services

- provided to children and families who either are or are likely to be involved with courts because of failures in the social system as manifested in:
the abuse, neglect, or abandonment of children,
the mental illness of children,
substance abuse by children,
aspects of divorce and the break-up of families,
pre-delinquent, socially irresponsible, or delinquent behavior by youth,
spousal domestic abuse involving children.

Several persons testified at the Commission's public hearings regarding the lack of a system; and the Commission recognized this problem from the start of its proceedings by adopting the system definition provided above.

Opportunities:

- 3.10 Creating a Real Juvenile Justice System.** We find that the Juvenile Justice Commission has a unique opportunity to restructure the current conglomeration of fragmented services and fragmented agencies involved in juvenile justice into an authentic, integrated system of collaborative planning and service delivery. We have the ability to learn from the experiences of other states. We see a growing climate for public/private collaboration. We see a growing acceptance of the need for restructuring our services into a real system -- one that offers a continuum of services and that is collaborative. We have the ability to build a broad-based constituency for reform. The confrontation with the need for change may lead to change.
- 3.20 Creating a Better Financing System.** We find that Louisiana can learn from other states about ways to improve its financing system. Other states have developed and implemented innovative approaches to financing reform by re-deploying current resources to make them more flexible and child-oriented. They have shifted services from 100% state funding to a balance of federal, state and local funding. They pool their federal and state funding to provide wraparound funding for children and families. They ensure that eligibility is checked across departmental lines. They support the administrative costs of collaborative teams through federal funding sources. They leverage investments from local governments, foundations, private-sector corporations, and individuals to match federal funds and to increase the overall funding base. At the Commission's public hearings, several persons testified that the current system of financing was inadequate and problematic and recommended many changes, including a single pooled-budget concept, the need to leverage greater private funding through collaboration, and an agency co-investment concept.
- 3.30 Increased Funding for Strategically Targeted Juvenile Justice Services.** We find that there are opportunities for finding increased funding for strategically targeted juvenile justice services. These opportunities include: (1) the identification and aggressive solicitation of additional federal, corporate, and

- philanthropic funding at both the state and local level; (2) the leveraging by the state of more local funding for juvenile justice services and the use of local funding as a match for greater federal, corporate, and philanthropic grant funding; (3) the targeting of federal justice funding to have a more long lasting and strategic effect; (4) the shifting of funds from the back end of juvenile justice (incarceration) to the front end of juvenile justice (prevention and early intervention); (5) the reduction of duplication and the creation of more efficient programming; and (6) the reprioritization of existing budget expenditures.
- 3.4O **Restructuring Court System.** We find that there are many opportunities for restructuring the court system to improve the efficiency and effectiveness of adjudication. The creation by juvenile courts of child dependency divisions helps such courts to comply more effectively with the provisions of the federal Adoption and Safe Families Act (ASFA) and the Louisiana Children's Code. The creation of specialized juvenile divisions by several district courts provides opportunities for improved efficiency and effectiveness in the adjudication of juvenile cases. The creation of a unified family court in the 14th JDC and family sections in the 15th JDC and the Civil District Court of Orleans Parish are important innovations that may vastly improve efficiency and effectiveness in the adjudication of domestic cases.
- 3.5O **Restructuring Executive Branch Departments.** We find that the opportunities listed in Finding 3.2O above for creating a better financial system may also create opportunities for restructuring some executive branch functions. In addition, there may be cost-effective opportunities for restructuring departmental responsibilities with respect to other aspects of services relating to children, youth, and their families.
- 3.6O **Opportunities for Community-Based Services.** We find that the restructuring of the system of state financing (see 3.2O above) will create expanded opportunities for the delivery of regional and community-based services. Services that are provided to children and youth in the areas where their homes are located are more likely to reflect regional and local values, involve families, churches, schools, and other voluntary institutions more effectively in the process of rehabilitation, and generally be more cost-effective. Several persons testified at the Commission's public hearings concerning the need for a shift to community-based services. In addition, current research also recommends that services be delivered, to the extent possible, through community organizations.

Threats:

- 3.1T **Failure to Restructure and Reprioritize.** We find that, unless we are able to accomplish some restructuring and reprioritization of the current system of financing and, possibly in some organizational arrangements in the judicial and executive branches, we will not be able to make significant improvements in Louisiana's juvenile justice system.

- 3.2T **Failure to Find Additional Money.** We find that, unless we are able to increase funding in the near future for alleviating and correcting the severe resource deficits in the system, not only will the process of reform envisioned by this Commission be threatened but also the weaknesses found in the current system of service delivery will persist and, perhaps, grow worse.
- 3.3T **Failure to Restructure Properly.** We find that, if we do not restructure properly, making sure that adequate funding is in place to support the restructuring, we could further complicate, rather than alleviate, the state's juvenile justice problems.

4.00 Prevention, Education, and Treatment Issues

Strengths:

- 4.1S **Defining a Continuum of Services.** We find that the Louisiana Children's Cabinet has made a good start in defining a seamless continuum of preventive and early intervention services to meet the needs of the State's children in a developmentally appropriate manner and in a meaningful timeframe. We find, however, that further work is needed to integrate various juvenile justice interventions and sanctions into the continuum. Several persons testified at the Commission's public hearings concerning the need for a comprehensive continuum of services. In addition, current research shows that a comprehensive continuum of services is absolutely essential to a strong and viable system of juvenile justice.
- 4.2S **Prevention.** We find a growing recognition among stakeholders in the Louisiana juvenile justice system that prevention is the most cost-effective means of addressing child abuse and neglect, pre-delinquency, delinquency, and later adult crime. Successful prevention requires efforts on the part of all institutions in the society and all elements of the community to ensure the proper development of all children, especially those who are demonstrably endangered or are in need of special care and protection. We are fortunate that efforts are underway to develop a comprehensive, statewide prevention plan. Several people testified at the Commission's public hearings concerning the importance of prevention. In addition, current research also emphasizes the critical value of preventive services.
- 4.3S **Early Intervention.** We find that the growing recognition of the value of targeted childhood interventions among stakeholders in the Louisiana juvenile justice system constitutes a major strength in support of the Commission's efforts to reform and restructure the juvenile justice system of Louisiana. We find, based on public testimony and current research, that targeted early interventions intended to overcome the cognitive, emotional, and resource limitations of the environments of disadvantaged children during the first several years of life can provide significant benefits to at least some of these children and their families. In addition, we find that such interventions can result in significant cost savings to the society as a whole and to public finances in the long run.
- 4.4S **Education.** We find that the improvements being made to general education can be helpful initiatives for strengthening the juvenile justice system. The state Department of Education and many local school boards have effective working relationships with some juvenile justice agencies. We have some alternative schools and many after-school programs. School-based health clinics are an asset. We also find that special education can be an effective tool for improving outcomes for children in the juvenile justice system, especially those children who

have been referred to the court for pre-delinquent or delinquent offenses. We find that special education rights and remedies can often prevent placements in juvenile incarceration facilities and unnecessary placements in residential treatment facilities. We find that special education can address the educational and disability problems underlying some delinquent conduct. Essentially, special education is a means for some delinquents to access services that can substitute for or negate the perceived need for preventive detention and post-disposition incarceration. We also find that the School Building Committees involved in special education can become an effective tool for identifying children with problems and for referring such children to needed services.

- 4.5S **Existing Treatment Services.** In addition to the strengths indicated above, we find that there are other positive aspects of our current service delivery system. We have many programs that are effective. Service providers are willing to work for the reform and restructuring of the system. We have good mental health advocacy services. We have several existing shelter care facilities, which provide emergency relief and respite. We have many advocacy and support groups, which help to educate and inform parents about ways to access services. We have some community-based programs that provide models of care and treatment. We are moving to create a stronger reintegration system for incarcerated youth as well as for youths aging out of the foster care system. We have dedicated personnel who understand the dynamics of families and are family-focused. We have good information on services that research shows to be effective. We have some effective programs for MI/MR and some availability of housing and other services for families with disabilities. Our nurse home visitation program is a model initiative.
- 4.6S **Recognition of Need for Family Support and Involvement.** We find that many people in Louisiana, especially those professionals involved with children and youths, understand that the primary focus of an effective juvenile justice system should be the family, not just the child or youth. In most situations, the family is the cornerstone of the young person's world. To address abuse and neglect, our first effort must be to focus on the rehabilitation of the family. To address improper child or youth behavior, again it is essential to understand and involve the family. Several persons testified at the Commission's public hearings concerning the importance of family support and involvement. In addition, research shows that interventions that properly consider family dynamics have proven to be more cost-effective and successful than programs without a family focus.

Weaknesses:

- 4.1W **Gaps in Continuum of Services.** We find that there are serious gaps in the statewide and regional availability and funding of Louisiana's continuum of services. Several persons testified at the Commission's public hearings regarding the need for services, especially the following services: prevention and early

intervention services; assessment and early identification services; information and referral services; mental health services and facilities; substance abuse services and facilities; parenting education services; community-based sanctions and services; after-care/re-entry/transition services; youth sexual offender services; treatment services for child victims of sexual abuse; treatment programs for children whose parents are in prison or who are habitual substance abusers; mentoring services; short-and long-term detention and shelter facilities; child care/after-school services; family preservation services; transportation services; alternative schools; recreational services; and services for female youth offenders. In a survey of judges, sheriffs, public defenders and OCS workers, the following services were regarded as critically important treatment services not available in the respondent's respective area. The numbers in parentheses indicate total respondents and percentage of total respondents indicating the need for the service. A total of 110 persons responded to the survey.

- Residential Treatment Programs for Substance Abuse (103; 93.6%)
- Inpatient Treatment Programs for Substance Abuse (92; 83.6%)
- Inpatient Mental Health Facilities (91; 82.7%)
- Outpatient Mental Health Facilities (85; 77.3%)
- Outpatient Mental Health Care (83; 75.6%)
- Stress Management Services (79; 71.8%)
- Children's Group Homes (76; 69.1%)
- Anger Management Services (76; 69.1%)
- Family Violence Counseling (75; 68.2%)
- Mental Health Evaluation Services (75; 68.2%)
- Self-Esteem Workshops (73; 66.4%)
- Substance Abuse Transitional Services (72; 65.5%)
- Boys/Girls Clubs (66; 60%)
- Parent Education/Training (66; 60%)
- Health Screening/Diagnostic Services (64; 58.2%)
- General Parental Mental Health Counseling (64; 58.2%)
- Community Mental Health Education (62; 56.4%)
- Family Preservation Programs (62; 56.4%)
- Family Planning Services (62; 56.4%)
- Drug Detoxification Services (61; 55.5%)
- Substance Abuse Day Treatment Services (61; 55.5%)
- Other Life Problems Counseling (59; 53.6%)
- Alcohol Detoxification Services (58; 52.7%)
- Substance Abuse Crisis Intervention Services (57; 51.8%)
- Substance Abuse Drop-in Programs (57; 51.8%)
- Substance Abuse Outpatient Programs (57; 51.8%)
- Childbirth Planning (57; 51.8%)
- Suicide Counseling (55; 50%)
- Mutual Support Groups (55; 50%)
- Health Education Programs (55; 50%)

- 4.2W **Lack of Child and Juvenile Mental Health Services.** We find that Louisiana lacks a continuum of high-quality mental health services sufficient to meet the needs of children with mental health disorders. We also find that there is a shortage of mental health personnel specializing in children. According to the Office of Mental Health, Louisiana's public mental health system is able to serve only about 3% of the children and youth with mental illness. We find that a well-funded continuum of mental health services for children and youth will not only increase the well-being and productivity of children and youth with mental illness but also can lower both delinquency and recidivism, thus saving the public in the long run millions in expenditures for arrest, detention, prosecution, adjudication, and corrections. We find that a well-funded continuum of mental health services for children should include prevention, early identification and intervention, assessment, outpatient treatment, home-based services, wrap-around services, family support groups, day treatment, residential treatment, crisis services and inpatient hospitalization. We find that these services are most effective when integrated at the local level with other services provided by schools, child welfare agencies, and community organizations. In addition, intensive work with families at the early stages problem manifestation can strengthen the families' ability to care for their children at home. We find that children whose offenses are minor or non-violent should, whenever possible, be diverted from incarceration and towards treatment, services, and supervision in their local communities. Because it is not possible to divert all children with emotional disorders, the juvenile justice system and the mental health system should work together to develop programs and services with youth services for these children. These services should be treatment-oriented, appropriate for the child's age, gender, and culture, individualized, and family-focused. Several persons testified at the Commission's public hearings concerning the general lack of mental health services for youth, especially the lack of inpatient and residential treatment services (see 4.1W above).
- 4.3W **Lack of Alcohol and Drug Abuse Prevention and Treatment Services.** We find that there is a serious lack of substance abuse treatment facilities and related services to meet the needs of children and youth in the juvenile justice "system." Substance abuse is a pervasive problem among youth. Some studies suggest that such drug use leads to other forms of delinquency and later adult crime. Substance abuse programs for youth include school-based education programs, parent education programs, residential or in-patient treatment programs, and multi-modal programs. Several persons testified at the Commission's public hearings concerning the lack of alcohol and drug abuse services, especially the lack of inpatient and residential treatment services (see 4.1W above). In addition, the Office for Addictive Disorders (OAD) provided written information to the Commission indicating that in 1999 it was meeting the needs of approximately 4.5% of the 56,702 adolescents between the ages of 12 and 17 who were identified as being in need of treatment for alcoholism and/or drugs.

- 4.4W **Lack of Family Strengthening and Parenting Services.** We find that there is a lack of family strengthening and parenting services in Louisiana. Several persons testified at the Commission's public hearings regarding this need. In addition, national research has continued through 1998 to find "issues of parental capacity and skills," second only to substance abuse as the most reported contributor to "likelihood for engaging in abusive behavior." State child welfare workers in Louisiana and throughout the nation have indicated in numerous surveys that families reported for child maltreatment "frequently lack specific parenting skills due either to various mental health problems, poor understanding of a child's normal developmental path, or young maternal age." The National Committee to Prevent Child Abuse (NCPCA) holds that "identifying these problems is a first step toward prevention." We find that there is a clear relationship between parental lack of knowledge of child health and development, unrealistic expectations of young children, and harsh discipline methods, all of which are non-conducive to proper child development and to the prevention of abuse and neglect, delinquency, and later adult crime.
- 4.5W **Lack of Community-Based Services.** We find that Louisiana's juvenile justice treatment services are overly centralized. The state needs to move to a system of accountable community-based treatment services that can more readily utilize more culturally sensitive and more cost effective parental, community faith-based, civic, and philanthropic resources. Several persons testified at the Commission's public hearings regarding the need for community-based services. In addition, national research confirms the value of a community-based approach to services.
- 4.6W **Zero Tolerance Policies.** While violence and other misconduct in schools are unacceptable, we find that some school zero tolerance policies are having the undesired effect of referring too many children and youth to an already overburdened juvenile justice system. Other forms of discipline can be more effective in correcting some types of misbehavior in schools. Schools should not be allowed to abdicate their responsibility for enforcing discipline in their classrooms and school areas. Some persons testified at the Commission public hearing regarding the unfairness of such policies. In addition, recent research either disfavors or calls for a re-examination of such policies.
- 4.7W **Lack of Juvenile Sexual Offenders Services: Lack of Consensus on Treatment Protocols.** We find that there is a lack of long-term treatment services for youth sexual offenders. We also find that there is lack of consensus and direction regarding the effectiveness of various treatment protocols for youth sexual offenders. This lack of consensus and direction may be a factor in the state's inability to create a register of approved treatment providers for youth sexual offenses.
- 4.8W **Lack of Transportation.** We find that the lack of adequate public transportation is a major barrier to the public's ability to access needed juvenile justice services, particularly preventive and treatment services.

4.9W Lack of School Services Dealing with Behavioral Issues. We find that many schools are not developing and implementing policies to prevent problem behavior and are not coordinating with other agencies on such issues. The schools, for the most part, do not conduct risk assessments as part of their safe schools or school improvement plans. They do not intervene early enough to identify and assist students who fail to meet expectations for learning and behavior. They do not evaluate their students' social, emotional, and adaptive functioning, as well as cognitive functioning, as part of multidisciplinary evaluation. They do not involve parents and communities effectively in their safe schools or school improvement plans. They do not provide, as part of their regular activities, information to parents about how to help their children learn and behave appropriately in school. They do not collaborate often enough and sufficiently enough with other agencies to meet family/community needs. They do not train teachers often and sufficiently enough to use a variety of instructional and classroom management strategies for preventing academic failure and problem behavior among all children, including those with disabilities. They also do not integrate their programs well enough with the programs of juvenile justice agencies.

4.10W Lack of Effective Alternative Schools. We find that, despite some exceptions, Louisiana lacks an adequate system of alternative education programs for students whose behaviors disrupt the learning of others or otherwise interfere with the order of the school environment. We find that many alternative programs are not equipped to handle disruptive students and often resort to suspending such students, as do regular schools. We find that most alternative education programs are primarily punitive responses and are not available as a proactive and preventive choice to students and parents before serious problems develop in middle or high school. Several persons testified at the Commission's public hearings concerning the need for such alternative programs. In addition, current research shows that such programs are an important component of an effective juvenile justice system

4.11W Lack of Assessment and Early Identification Programs. We find that there is a lack of timely and comprehensive assessment programs for identifying and assessing, as early as appropriate, behavioral, substance abuse, mental illness and other problems in children and families. We also lack services to identify and assess the risk of allowing children to remain with potentially abusive families and guardians and the risk of releasing youth offenders to their families. There appears to be little or no consensus on the risk assessments to be used. The state lacks comprehensive assessment centers. Schools do not appear, in general, to provide such services. Several persons testified at the Commission's public hearings concerning the need for such assessment and early identification. In addition, current research shows that such programs are an important component of an effective juvenile justice system.

4.12W **Lack of Comprehensive Information and Referral Services.** We find that many people in Louisiana are not aware of the existing services available to meet their needs. In large part, the public's general public awareness is due to the lack of easily accessible, user-friendly comprehensive information and referral services. In some states, this need has been met by the development of a web site containing a comprehensive list and description of all social services, their costs and their availability in terms of geography as well as time. Resource lists are generated from the computerized system and made available at various public sites. Several persons testified at the Commission's public hearings concerning the need for information and referral services. In addition, current research shows that such services are an important component of an effective juvenile justice system.

4.13W **Lack of Services for Female Youth Offenders.** We find that there is a lack of sufficient attention by policy makers, police officers, officers of the court, probation and correctional officers to the needs of female youth offenders. National research has shown that:

- Delinquent girls have often experienced physical, emotional and sexual abuse, as well as have family problems. Many suffer from physical and mental disorders and/or endure academic failure.
- More than 26% percent of teen-age girls in the general population have been physically abused.
- Girls are three times more likely than boys to be sexually abused, and sexual abuse has been recognized as a cause of mental health disorders. Sexual abuse is also related to increased truancy, prostitution, violence, and other destructive behaviors.
- In early adolescence, the incidence of depression rises significantly among girls, but not among boys; depression is a much stronger predictor of delinquency for girls than boys.
- Girls comprised 27% of the juvenile court population in 1999, yet they accounted for 59% of juvenile arrests for running away.

National research also shows that female youth offenders require many specialized services. In addition, several persons testified at the Commission's public hearings concerning the need for differentiated services for female youth offenders.

4.14W **Lack of Non-Secure Residential Options.** We find that there is a lack of non-secure residential options in many parts of the state. We need to provide more short-term residential facilities and services in the form of "cooling down" facilities, crisis centers, group shelters and homes, and therapeutic facilities for dealing with ungovernable youth, youth who are mentally ill and youth who are badly damaged from physical or substance abuse.

4.15W **Lack of Professionals Specializing in Children's Issues and Juvenile Justice Issues.** We find that there is a shortage of professionals especially in child psychiatry and other fields relating to children's treatment issues and juvenile

justice issues in the state. The state needs to do more to encourage and foster specialization in these fields.

4.16W Lack of After-School, Recreational Services, Mentoring Programs. We find that in many parts of the state there is a lack of effective after-school programs, recreational services, and programs that provide mentors and role models for children. Schools and communities need to mobilize their resources to recruit and train more volunteers to support such efforts.

4.17W Lack of After-Care/Transition Programs. We find that, despite some progress in providing after-care and transition programs, more services and funding are still critically needed for after-care programs for incarcerated youth offenders half-way houses for former substance abusers, and independent living facilities for those aging out of the foster care system.

4.18W Lack of Central Intake Systems. We find that the state lacks central intake systems that would enable the public to access services more easily. Such intake systems need not require centralized facilities. We have the ability to develop one or perhaps a few common intake forms that can be accessed by service providers and, once filled out, returned via the Internet to a central source that can then route the forms to appropriate case managers.

Opportunities:

4.10 Viability of Prevention, Early Intervention, and Treatment Programs. We find that prevention and early intervention programs, especially strength-based programs, are effective in reducing the risk factors associated with pre-delinquent and delinquent behaviors. National research has shown that taxpayers may save as much as \$2 million for each child who is prevented from beginning a life of crime. Early education programs -- like the Perry School Program in Michigan -- have increased educational achievement while saving the public \$150,000 in juvenile crime costs per child. Family-based therapy for young offenders -- like that done by Youth Villages in Tennessee -- have reduced youth crime at a cost that is less than 10% of the typical cost of confinement. Numerous cost-benefit analyses of prevention and early intervention continue to show the cost-effectiveness of such programs as compared to incarceration. We find that treatment programs for delinquents, even those who have committed serious offenses, such as robbery, assault, battery, and sexual crimes, can be effective. Research, for example, has also shown that treated sex offenders re-offend less than untreated sex offenders (10.9% as compared to 18.5%).

4.20 More Effective Case Management. We find that there is an opportunity to bring agencies together to discuss and implement ways to make case management more effective. Case management is an essential tool for helping children and families access all of the services needed for their rehabilitation and well-being.

Threats:

Note: See statements of weaknesses.

5.00 Issues Affecting Law and the Administration of Justice

Strengths:

- 5.1S **Louisiana Children's Code.** We find that the Louisiana's Children's Code is a model code of legal provisions for children, youth and families and appropriately protects the constitutional rights and best interests of children while also serving the well-being of society. The Code is clearly written and well organized. It provides for many informal adjudicatory practices and is built on solid principles such as confidentiality of proceedings (especially in CINC proceedings) the best interest of the child, the needs of public safety, concern for victims, child and family rehabilitation, and family preservation. Recommendations for changes to the Code should be made to the Children's Code Committee of the Law Institute.
- 5.2S **Specialized Juvenile Courts.** We find that the existence of specialized juvenile courts in Caddo, East Baton Rouge, Jefferson and Orleans are strengths in the system and provide opportunities for service coordination and the development of expertise in child welfare and delinquency matters.
- 5.3S **Specialized Juvenile Divisions of General Jurisdiction Courts.** We find that the specialized juvenile divisions of the general jurisdiction courts in the 4th JDC (Ouachita and Morehouse), the 9th JDC (Rapides), the 14th JDC (Calcasieu), 16th JDC (Iberia, St. Martin, and St. Mary), the 21st JDC (Livingston, St. Helena, and Tangipahoa), the 22nd JDC (St. Tammany and Washington), and the 26th JDC (Bossier and Webster) are providing better juvenile justice adjudicatory services in their respective areas than before the implementation of specialization.
- 5.4S **Specialized Child Dependency Divisions.** We find that specialized child dependency divisions of court are good models for the handling of child dependency cases in large urban areas. We also find that the use of "one-family/one-judge" policies in some of these courts to be a strength.
- 5.5S **Family Courts.** We find that the unified family court in the 14th JDC provides a single point of entry for families and an effective system for coordinating family and juvenile cases under a "one family/one judge" policy. We also find that the specialization of family court jurisdiction, as structured in the East Baton Rouge Parish Family Court and the specialized sections of the 15th JDC (Acadia, Lafayette, and Vermilion) and the Orleans Parish Civil District Court are strengths in the system.
- 5.6S **Families in Needs of Services (FINS).** We find that the Families in Need of Services (FINS) provision in the Children's Code is a critical and valuable intervention option that provides identification, referral and services for children and youth who commit status offenses or who are otherwise at-risk of future delinquent behavior. The State is investing approximately \$1.5 million per year in the Families in Need of Services Assistance Program (FINSAP), a program

providing the core of operational funding for all FINS offices operating at the district court level and some FINS offices operating at the city court level. In addition, local governments, district courts, city courts, and other entities are contributing approximately \$500,000 per year in support of the program.

- 5.7S **Drug Courts.** We find that Louisiana has initiated a promising juvenile drug court program in the following jurisdictions: the Caddo Parish Juvenile Court; the Jefferson Parish Juvenile Court; the 9th JDC; the 14th JDC; the 16th JDC (Iberia Parish); the 16th JDC (St. Mary Parish); the 22nd JDC (St. Tammany/Covington); the 26th JDC; the Breaux Bridge City Court; the Hammond City Court; and the Slidell City Court. The State has invested approximately \$1.6 million in these courts and has leveraged an additional \$953,462 in local and other monies in support of these efforts.
- 5.8S **Truancy Assessment and Service Centers (TASCs).** We find that the Truancy Assessment and Service Centers initiated by the Legislature in 1999 appear to be an effective tool for dealing with truancy and for providing community-based services to at-risk children in kindergarten through grade six. During its 2001 regular session, the Legislature expanded the number of pilot sites for TASC to 11 judicial districts. In that same year, the Legislature appropriated \$1.1 million in federal funding and approximately \$2.8 in state general funds to support the program. During its 2002 session, the Legislature expanded the number of pilot sites for TASC to 13 judicial districts and later appropriated \$2.3 million in federal funding and approximately \$1.8 million in state general funds to support the program. Local inter-agency teams, including representatives from education, law enforcement, courts, and service providers, receive training and technical assistance to design effective TASC programs. The Office of Social Service Research and Development of Louisiana State University provides monitoring, evaluation, and reporting for the program.
- 5.9S **Court-Appointed Special Advocates (CASA).** We find that Court-Appointed Special Advocates (CASA) is an important tool for ensuring that the State will meet the best interests of children in foster care. CASA is designed to provide a trained, volunteer advocate for children in foster care in Louisiana by assisting courts in the timely placement of abused, neglected, or abandoned children into permanent, safe and stable homes. During the 2001 regular session, the Legislature appropriated \$3.6 million in federal TANF (Temporary Assistance to Needy Families) funds to expand CASA programs. In addition, supplemental local and grant funds have increased the program's funding to approximately \$5 million in 2002. There are currently 14 local CASA programs serving 24 judicial districts in Louisiana. In 2001, CASA provided advocates for 351 children and assisted in the return of over 140 children to safe and permanent families.
- 5.10S **Louisiana Public and Private Associations.** We find that the various public and private associations in Louisiana provide a useful means of networking and communication among public and private entities involved in juvenile justice.

- 5.11S **Mental Health Advocacy Service (MHAS).** We find that the Mental Health Advocacy Service provides valuable advocacy and representational services for children and youth affected by mental illness. We find that MHAS attorneys receive comprehensive training and supervision, work full-time, provide zealous representation, and demonstrate critical expertise in mental health issues.
- 5.12S **Indigent Defense System.** We find that the existence of an organized indigent defender system combining statewide and local funding and policies, and, in many cases, full-time defenders provides an opportunity for improving juvenile defense services in the state.
- 5.13S **Use of Informal Processes.** We find that the legal provision and use of informal processes, such as informal adjustment agreements, mediation, prosecutorial discretion and diversion, informal FINS, and other informal diversion programs, are a major strength of the system.
- 5.14S **Louisiana Protective Order Registry (LPOR).** We find that the creation of the Louisiana Protective Order Registry as a tool for responding to domestic abuse is a major strength of the system.
- 5.15S **Compliance with the Adoption and Safe Families Act (ASFA).** We find that the courts and agencies of Louisiana are making significant efforts to comply fully with ASFA and the provisions of the Children's Code relating to Child in Need of Care, Termination of Parental Rights, and Adoption cases. OCS has organized a high-level committee to address compliance. It is also building a major system for tracking children in foster care. The Supreme Court has issued a rule requiring mandatory judicial training in ASFA compliance and requiring actions to reduce continuances. The Court has also used Court Improvement Funds to develop and execute a number of initiatives, including: the cross-training of attorneys, caseworkers, CASA volunteers, judges, and others; the creation of a case tracking system; the development of facilitation teams; the development of a pilot mediation program; and other initiatives.
- 5.16S **Victim Awareness.** We find that the recognition of rights of victims of delinquent acts and the provisions for a juvenile crime compensation fund in the Louisiana Children's Code (LChC 811.1-811.3) are strengths in the law. We also find the principles and demonstrations of the techniques of balanced and restorative justice to be strengths upon which further victim assistance and youth rehabilitation can be built.

Weaknesses:

- 5.1W **Fragmentation of Court System.** We find that the court system for handling juvenile and family legal matters is fragmented and lacks coordinated

management and oversight in the vast majority of jurisdictions without specialized juvenile and family courts.

5.2W Court Delays. We find that there are too many delays in the processing of child protection and juvenile delinquency cases throughout the state. Such delays frequently lead to the unnecessary extension of the time that children and youth spend in foster care and in detention. Childhood is a precious commodity. It should not be wasted by excessive court delays.

5.3W High Caseloads. We find that, based on national standards, prosecutors, indigent defenders, probation officers, and caseworkers appear to have very high caseloads that inhibit their ability to properly meet the needs of their clients or responsibilities.

5.4W Lack of Graduated Sanctions and Other Behavior-Driven Incentives. We find that the juvenile justice system lacks a sufficient number of appropriate alternative, graduated sanctions. In addition, most judges, district attorneys, indigent defenders, and probation officers have not been trained in the principles of graduated sanctions and their proper employment; nor, for that matter, are they aware of the range, type, and cost-benefits of such sanctions. The "system" also lacks other types of behavior-driven incentives that could be used in FINS and other informal processing systems.

5.5W Lack of Training and Support. We find that, while some good training and networking does exist, there is still a general lack of training and support in the current system. Juvenile defense attorneys are not adequately trained, supported or supervised in order to ensure that they are providing informed and effective legal advocacy for their clients. Caseworkers, district attorneys, police, probation, and correctional officers, and judges in some jurisdictions lack the specialized training needed for working with youth. Cross training is especially rare, if not, nonexistent. We also find a serious shortage of technology and other support resources throughout the entire system affecting the ability of workers to have access to the most up-to-date information available on their cases and on successful programmatic and legislative responses. We also find that there is inadequate communication and coordination between and among prosecutors, judges, indigent defenders, case workers, probation workers, school personnel, and other key players involved in the juvenile justice system, both at the state and local levels, especially on the issues of training and support.

5.6W Lack of Support for Diversion. Some jurisdictions fail to effectively utilize court diversion options, such as informal adjustment agreements. The lack of usage of informal adjustment agreements has been found to be particularly problematic for female offenders.

- 5.7W **Lack of Local Detention and Shelter Facilities.** We find that many areas do not have immediate or assured access to local or regional detention facilities, group shelters, day centers, and other short-term facilities.
- 5.8W **Misdiagnosis of Children with Mental or Behavioral Disabilities.** Children with mental and behavioral disabilities face substantive, complex challenges in daily functioning that are frequently misunderstood and/or not appropriately addressed by stakeholders within the juvenile court system, including judges, probation officers, police, prosecutors and defense lawyers.
- 5.9W **Shortage of Juvenile Justice Attorneys.** We find that, although there is greater recent interests in juvenile representation than in previous years, there is still a shortage of knowledgeable and committed legal advocates who thoroughly understand the juvenile court process and who adequately represent the interests of children and families in the system. Juvenile law is not a field that attracts many lawyers. Comparatively few law students take courses in juvenile law; very few enter its practice. There is a particular shortage of attorneys to handle post-adjudication representation.
- 5.10W **Lack of Standards and Licensing Procedures for Local Detention Facilities.** We find that there are no standards imposed by law for local and regional detention facilities nor is there a department charged with inspecting and licensing such facilities and for enforcing such standards.
- 5.11W **Excessive Allowance of Waiver of Counsel.** We find that in some jurisdictions there is an all too frequent use of waiver of counsel in cases involving youth.
- 5.12W **Lack of Public Understanding of Court Processes.** We find that the general public does not sufficiently understand the purposes and processes of the juvenile justice system.
- 5.13W **Lack of Consistency in Juvenile Sentencing.** We find that, while similarly situated children should receive similar sentences or dispositions, sentencing guidelines are inappropriate for a juvenile justice system. Rather, an individualized disposition, based upon thorough assessments of the child's background, needs, family and community supports is a fundamental tenet of a juvenile justice system. Discretion utilized by courts and their staffs should always be based upon criteria that should be articulated.
- 5.14W **Problems with FINS.** We find that the great promise of FINS is being impaired by several problems:
- inadequate funding for operations
 - inadequate funding for needed services
 - inadequate alternatives
 - inadequate coordination between FINS and schools
 - removal of FINS adjudicated kids from their homes

- removal of parental misconduct as a basis for FINS
- lack of clarity of FINS law and process
- delayed reporting of truancy by schools

Opportunities:

- 5.1O **Involvement of Courts.** We find that the involvement of the Supreme Court in the issue of juvenile justice reform has opened the door to numerous opportunities. In addition, the response of judges to this initiative has been extremely positive. The Louisiana Council of Family and Juvenile Court Judges and the Louisiana Association of City Court Judges have both recognized the need for a comprehensive strategy to reform the juvenile justice system and have pledged their support to this Commission's work.
- 5.2O **Standards Developed by the Louisiana Juvenile Detention Center Association.** The Louisiana Juvenile Detention Center Association recognizes the need for uniform standards in order to improve and maintain the living conditions and programs and services provided to detained youth.
- 5.3O **Informal Processing.** We find that many courts and agencies are using or testing diversionary programs, such as mediation, family decision-making conferences, informal adjustment agreements, drug courts, etc., to more appropriately address the needs of youthful offenders and to reduce the increasing docket of juvenile cases requiring formal court intervention. Informal processing involves the diversion of a case from what would otherwise be formal court adjudication to processes that involve the voluntary acceptance of dispositional interventions. When a case is informally processed, the formal case is generally held open pending the successful completion of the informal disposition. Upon successful completion of these dispositions, the formal process is closed. If, however, the parties do not fulfill the court's conditions for informal handling, the case is likely to be reopened and formally adjudicated.
- 5.4O **Expanded Use of Hearing Officers/Commissioners.** We find that the expanded use of hearing officers, traffic referees, and commissioners may provide an opportunity for reducing judicial caseloads, providing more informal services, and lowering system costs. The use of such officers in any future system should be carefully studied and evaluated.
- 5.5O **Expanded Use of Judicial Case Management Techniques.** We find that the expanded use of automated and manual case management techniques provides an opportunity for significantly reducing delays and for lowering the cost per case of the system.
- 5.6O **Opportunity to Get More Attorneys Interested and Trained in Juvenile Justice.** We find that there is an opportunity for the stakeholders involved in this process, working with the state's four law schools, the Louisiana State Bar

Association, the Supreme Court, and other entities, to motivate greater interest in juvenile law and practice and to provide better training to judges and lawyers specializing in juvenile law.

Threats:

- 5.1T **Failure to Get Consensus from Judges.** We find that, without a consensus among the judges having juvenile jurisdiction regarding the principles and good practices needed for effective improvements in juvenile justice, real reform and restructuring will not occur.
- 5.2T **Trend Towards Eliminating the Differences between Juvenile Justice and Adult Criminal Justice.** We find that there is a national trend to eliminate the differences between juvenile justice and adult criminal justice. We affirm the traditional principles upon which juvenile justice has been historically established, and oppose further attempts to treat youth offenders as adult criminals.
- 5.3T **Failure to Get Consensus among Key Stakeholders.** We find that failure to get consensus among key stakeholders involved in the administration of juvenile justice (e.g. judges, prosecutors, victims, law enforcement, indigent defenders, and corrections leaders as well as state and local governmental officials, will jeopardize all attempts at juvenile justice reform and restructuring.

Notes

1.0 Attitudinal and Ideological Issues

Strengths:

1.1S **The Need for Juvenile Justice Reform.**

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T. O'Connor, North Carolina Juvenile Justice Reform, <<http://faculty.ncwc.edu/toconnor/ncjuvjus.htm>> (2001).

1.2S **Broad Principles of Agreement.**

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, Throughout Document

Comprehensive Strategy Survey Results

More than 88% of the approximately 465 persons who responded to the Comprehensive Strategy Survey agreed with all six principles of the Comprehensive Strategy:

- 96% agreed with the principle of *Strengthening the family in its primary responsibility to instill moral values and provide guidance and support to children.*
- 96% agreed with the principle of *Supporting core institutions, such as schools, churches, and community organizations, in their role in developing capable, mature, and responsible youth.*
- 92% agreed with the principle of *Promoting delinquency prevention as the most cost-effective approach for reducing juvenile delinquency.*
- 96% agreed with the principle of *Intervening immediately and effectively when delinquent behavior occurs to successfully prevent delinquent offenders from becoming chronic offenders or committing progressively more serious and violent crimes.*
- 94% agreed with the principle of *Establishing a continuum of progressively intensive services and sanctions to respond appropriately to the needs of each juvenile offender, while holding them accountable and protecting the public.*
- 88% agreed with the principle of *Identifying and controlling the small group of serious, violent and chronic juvenile offenders who have committed felony offenses or have failed to respond to intervention and non-secure community-based treatment and rehabilitation services offered by the juvenile justice system.*

Advisory Board

Brainstorming Session, November 20, 2001, See, for example: 1.3S; 1.1O; 2.1O; 2.2O; 2.3O; 2.6O; 2.7O; 3.1O; 3.2O; 3.3O; 3.6O; 4.1O; 5.8O; A2; A4; A8; A9; A10; A17; A18; B2; B3; B4; B7; B8; B9; B10; B11; B12; B13; B16; B17; B18; B20; B26; C1; C2; C3; C4; C6; C7; C8; C9; C15; C16; C18; C21; C22.

Brainstorming Session, July 11, 2002, A1.06S; A1.07S; A1.08S; B1.04S; C3, 01S; C3.02S; D1.06S; D3.06S; D3.07S.

Research

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Governor's Office of Workforce Development, Louisiana's Blueprint for Investing in Youth.

1.3S Juvenile Justice Reform is Everybody's Business.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p.1, Part 1, Statement A1 (EBR 11; LAF 2; LC 24; MON 7); p. 2, Statement A26 (TAM 19; ORL 24); p. 4, Statement C8 (ORL 24); p. 7 Statement H4 (EBR 27); p. 8, Statement H22 (SB 32); p. 9, Statement H35 (ALEX 15); pp. 13-15, Part 1, Sections M, N, O, and P.

Comprehensive Strategy Survey Results

More than 88% of the approximately 465 persons who responded to the Comprehensive Strategy Survey agreed with all six principles of the Comprehensive Strategy.

Other

Letter of Laura Jensen, Raintree Children Services, urging the involvement of private providers in all planning and policy development affecting juvenile justice.

Advisory Board

Brainstorming Session, November 20, 2001, B12; C26.
Brainstorming Session, July 11, 2002, D1.13S; C4.03O.

Research

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J.J. Wilson and J.C. Howell, A Comprehensive Strategy for Serious, Violent and Chronic Juvenile Offenders (Washington, D.C.: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 1993).

Mary Fairchild, Comprehensive Juvenile Justice, a presentation to the Louisiana Juvenile Justice Commission and Ad Hoc Advisory Group (November 1, 2001).

1.4S Dedicated, Talented People.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 44, Statement B25 (ALEX 18).

Written Comments

Jefferson #10

Advisory Board

Brainstorming Session, July 11, 2002, A1.02S; A1.06S; A4.03S; A5.07S; B1.02S; B1.04S; B1.08S; B4.02S; B4.03S; B4.05S; B4.06S; B5.04S; C5.02S; D1.02S.

1.5S Spirit of Voluntarism.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 7, Statement H4 (EBR 27); p. 8, Statement H22 (SB32).

Written Comments

West Carroll #2

Advisory Board

Brainstorming Session, July 11, 2002, A1.06S; B1.02S; B1.04S; B1.08S; B4.02S; B4.03S; B4.05S; B4.06S; A5.07S; B5.04S; C1.12S; C5.02S.

Research

“United Way State of Caring Index,” Louisiana showed the greatest improvement in caring of all the states on the index from 1988 to 1999.

1.6S Advocacy.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 8, Statement H11 (LC25); p. 9, Statement H45 (ORL 50).

Advisory Board

Brainstorming Session, July 11, 2002, A1.01S; A1.10S; A4.04S; A4.05S; A4.06S; B4.10S; C1.13S.

1.7S Need for Separate Juvenile Justice System.

Advisory Board

Meeting of September 20, 2002.

Research

Jeffrey A. Butts, Can We Do Without Juvenile Justice? Chicago, IL: American Bar Association, Criminal Justice Section, 2000

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Steven A. Drizin, "The Juvenile Court at 100," Judicature 83 (July-August, 1999): 8.

Barry C. Feld, "Abolish the Juvenile Court: Youthfulness, Criminal Responsibility, and Sentencing Policy," Journal of Criminal Law and Criminology 88 (1998) 68-136

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National Council of Juvenile and Family Court Judges, "A Centennial Celebration of the Juvenile Court, 1899-1999," Juvenile and Family Court Journal (1998).

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Ira M. Schwartz, Neil Alan Weiner, and Guy Enosh, "Nine Lives and Then Some: Why the Juvenile Court Does Not Roll Over and Die," Wake Forest Law Review 33 (Fall, 1998): 533-552.

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Weaknesses:

1.1W Lack of Awareness of the Scope of Needed Reform.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 7, Statement H10 (LC 24; LC 25).

Advisory Board

Brainstorming Session, July 11, 2002, A1.01W; A1.02W; A1.09W.

Research

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Jeffrey Fagan, The Comparative Advantage of Juvenile Versus Criminal Court Sanctions on Recidivism Among Adolescent Offenders (Columbia School of Public Health, 1996)

C. Frazier, D. Bishop, and L. Lanza-Kaduce, "Get-Tough Juvenile Justice Reforms: The Florida Experience," Annals of the American Academy of Political and Social Science 564 (1999): 167-184.

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1.2W Apathy and Lack of Willingness to Change.

Advisory Board

Brainstorming Session, July 11, 2002, A1.03W; A3.04T; B1.03W; B3.02T; B3.06T; D1.10W.

1.3W Lack of Trust.

Advisory Board

Brainstorming Session, July 11, 2002, A3.01T; A4.07W; B1.02W; B1.04W; C1.05W; C1.06W; C1.11W; D1.03W; D1.07W; D1.11W.

1.4W Lack of Leadership.

Advisory Board

Brainstorming Session, July 11, 2002, B1.14W.

Opportunities:

1.1O Juvenile Justice Commission.

Advisory Board

Brainstorming Session, July 11, 2002, A1.01O; A1.02O; A1.04O; A1.05O; A1.06O; A1.09O; B1.01O; B1.02O; B1.03O; B1.06O; B1.07O; B1.08O; B1.09O; B1.10O; B1.11O; C1.05O; C1.06O; B3.04S; D1.01O; D1.02O; D1.03O; D1.04O; D1.05O; D1.06O; D1.07O; D1.08O; D1.09O; D1.10O; D1.11O; D1.12O; B4.03O; B4.11S.

1.2O Active Involvement of Judges.

Advisory Board

Brainstorming Session, July 11, 2002, A1.03O; B3.03S; B4.09S.

1.3O Putting Children First.

Public Policy Statements

Chief Justice Pascal F. Calogero, Jr., 2001 State of the Judiciary Address to the Joint Session of the House and Senate of the Louisiana Legislature, April 10, 2001.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 3, Statement B9 (EBR

23; JEFF 23; ORL 29; Statement B15 (TAM 1; JEFF 22; ORL 23; ORL 29); and p. 14, Statement N7 (SB20).

Written Comments

St. Tammany #3

Advisory Board

Brainstorming Session, July 11, 2002, C1.23W; D1.09O.

Research

Several states have used the theme of "putting children first" in their public awareness campaigns. See, for example, "Ohio Children and Family First", <www.ohiofcf.org> and "Children First for Oregon", <www.effo.org>. See also: National Council of Juvenile and Family Court Judges, Children and Families First: A Mandate for America's Courts (Reno, NV: National Council of Juvenile and Family Court Judges, 1993).

1.4O The Children's Cabinet and Budget.

Advisory Board

Brainstorming Session, July 11, 2002, A1.08O; C1.06O; B3.03S.

1.5O Local Resources

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 1, Statement A5 (EBR 11; LAF 2; LC 24; MON 7); Statement A9 (LC 44).

Advisory Board

Brainstorming Session, November 20, 2001, B14; C14; C26.

Brainstorming Session, July 11, 2002, A4.05S; D1.06S; D1.08S.

1.6O Public Awareness.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 10, Statement I2 (EBR 27; LAF 21; LC 25); Statement I5 (LC 47); Statement I7 (MON 3).

Advisory Board

Brainstorming Session, July 11, 2002, A1.08O; B3.01O; C1.06O.

1.7O The Goals of Juvenile Justice.

Advisory Board

Brainstorming Session, July 11, 2002, B1.06S; C1.11S.

Threats:

1.1T Inhibiting Attitudes.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 8, Statement 13 (LC 42); Statement 14 (SB 21); Statement 24 (SB 34); p. 9, Statement H30 (MON 26; MON 29); Statement H36 (ALEX 23) Statement 37 (ORL 19); Statement 39 (ORL 39).

Comprehensive Strategy Survey Results

88% of the approximately 465 persons who responded to the Comprehensive Strategy Survey agreed with the principle of *Identifying and controlling the small group of serious, violent and chronic juvenile offenders who have committed felony offenses or have failed to respond to intervention and non-secure community-based treatment and rehabilitation services offered by the juvenile justice system.*

Advisory Board

Brainstorming Session, July 11, 2002, A1.03W; A1.04W; B1.03W; C1.14W; C1.19W; C1.22W; C1.24W; C1.01T; C1.02T; C1.03T; C1.04T; C1.05T; ORL 2.

Research

American Youth Policy Forum, Less Hype, More Help. Reducing Juvenile Crime. What Works. What Doesn't (Washington, D.C.: American Youth Policy Forum, 2002

Citizen's Committee for Children of New York, Inc., Myths and Realities About the Juvenile Justice System II January 1999

1.2T Business as Usual.

Advisory Board

Brainstorming Session, July 11, 2002, A1.02T; A1.03T; A1.04T; A1.10T; A4.03T; A4.04T; A5.02T; A5.04T; A5.05T; B1.03T; B1.04T; B1.05T; B3.02T; B3.03T; B3.04T; B3.05T; B3.06T; B4.01T; B4.04T; B4.09T; B4.10T; B5.12T; C3.01T; C3.03T; C4.01T; C4.03T; C4.05T; C5.04T; C5.05T; C5.06T; D1.01T; D1.02T; D1.03T; D1.06T; D1.07T; D5.02T.

1.3T Burnout, Frustration, and Fatigue.

Advisory Board

Brainstorming Session, July 11, 2002, A5.06T; C1.09W; C1.12W; C1.16W; C1.20W; C1.21W; C1.03T; D1.04T.

1.4T Bad Economy

Advisory Board

Brainstorming Session, July 11, 2002, B1.06T; C1.06T; C5.02T.

1.5T Disproportionate Minority Representation.

Written Comments

Lafayette #15

Advisory Board

Brainstorming Session, November 20, 2001, A14; A19; C23.
Brainstorming Session, July 11, 2002, A1.03T; A5.03T; C1.09W.

Research

Shay Bilchik, "Minorities in the Juvenile Justice System," 1999 National Report Series: Juvenile Justice Bulletin (Washington, D.C.: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, December 1999).

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New Century Foundation, The Color of Crime: Race, Crime, and Violence in America (Oakton, VA: New Century Foundation, 1999).

Patrick Crowley, "Study Reveals Juvenile Injustice. Minorities are Jailed More Often," Cincinnati Enquirer, Wednesday, April 26, 2000.

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P. Devine, K. Coolbaugh, and S. Jenkins, "Disproportionate Minority Confinement: Lessons Learned from Five States", OJJDP Bulletin (Washington, D.C., Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 1998).

Will Drakeford and Lili Frank Garfinkel, "Differential Treatment of American Youth," EDJJ <www.edjj.org> publications, 6/13/01.

L.S. Kaplan and J. Busner, "A Note on Racial Bias in the Admission of Children and Adolescents to State Mental Health Facilities versus Correctional Facilities in New York," American Journal of Psychiatry 149 (1992): 768-772.

2.00 Research Planning and Evaluation

Strengths:

2.1S Availability of Some Juvenile Justice Data.

Advisory Board

Brainstorming Session, July 11, 2002, A2.01S; A2.03S; B2.02S; B2.07S; B2.08S; B2.09S; C2.03S.

2.2S Availability of Researchers

Advisory Board

Brainstorming Session, July 11, 2002, A2.02S; B2.01S; B2.03S; B2.04S; B2.06S; B2.10S; B2.12S; B4.08S; C2.02S; C2.07S.

Research

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2.3S Recognition of the Need for a Knowledge-Based Approach to Planning, Programming, and Evaluation.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, Section F.

Advisory Board

Brainstorming Session, July 11, 2002, B2.11S; C2.05S; D2.06S.

Research

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Juvenile Justice Commission Research Team, Summary of Findings: Review of Literature on Juvenile Justice, June 20, 2002, p.26. See also: Office of Juvenile Justice and Delinquency Prevention, OJJDP Research: Making a Difference for Juveniles (Washington, D.C.: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, August 1999.

Juvenile Justice Evaluation Research, <<http://www.fsu.edu/~crimdo/courses/jjresearch.html>> 2000.

2.4S Involvement of Key Leaders and Inter-Governmental Staffs.

Advisory Board

Brainstorming Session, July 11, 2002, B2.05S; D2.03S.

2.5S Public Involvement.

Advisory Board

Brainstorming Session, November 20, 2001, B10; B26.

Brainstorming Session, July 11, 2002, C2.01S.

2.6S Assistance from Nationally Recognized Authorities in Juvenile Justice

Advisory Board

Brainstorming Session, July 11, 2002, A3.05O; C2.04S.

Weaknesses:

2.1W Lack of Overarching Vision.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 10, Statement I6 (MON 3); Statement I7 (MON 3) p. 11, Statement I20 (ORL 29); Statement 23 (ORL 32).

Advisory Board

Brainstorming Session, November 20, 2001, B4; B21.

Brainstorming Session, July 11, 2002, A1.10W; D1.01W; D1.02W.

Research.

Keon S. Chi, "Foresight in State Government," The Journal of State Government, (Lexington, KY: The Council of State Governments, 3, 1991): 11.

National Center for State Courts, Creating 21st Century Courts: Guidebook for Court Visioning, (Williamsburg, VA: National Center for State Courts, 1991).

W. Schultz, C. Bezold, and B.P. Monahan, Reinventing Courts for the 21st Century: Designing a Vision Process, (Williamsburg, VA: National Center for State Courts, 1993).

2.2W Lack of Strategic Planning.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p.2, Statement 21 (ORL 18); p. 10, Statement I3 (EBR 28; SB 13) Statement I6 (MON 3) Statement I7 (MON 3) Statement I8 (MON 3); Statement I14 (ORL 13) Statement I15 (ORL 13) Statement I17 (ORL 18) Statement I18 (ORL 21); Statement I21 (ORL 31).

Advisory Board

Brainstorming Session, November 20, 2001, B20.

Brainstorming Session, July 11, 2002, D2.04W; D2.07W; D2.08W.

Research

Gabriella Celeste and Patricia Puritz, ed., The Children Left Behind. An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings in Louisiana (New Orleans, LA: Juvenile Justice Project of Louisiana and the American Bar Association, Juvenile Justice Center, June 2001).

2.3W Lack of a Comprehensive Repository of Juvenile Justice Data.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 12, Statement K1 (EBR13; LAF 7); Statement K8 (ORL 16).

Written Comments

Jefferson #5

Advisory Board

Brainstorming Session, July 11, 2002, A2.01W; A2.04W; C2.12W; D2.01W.

2.4W Lack of Monitoring and Evaluation.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 6 Section F (EBR 7; EBR 14; EBR 22; LAF 9; LAF20; LC 40; ALEX 9; ALEX 23; ALEX 33; SB 12; SB 21; SB 26; SB 32; MON 3; MON 21; JEFF 22; JEFF 30; ORL 2; ORL 17; ORL 18; ORL 21; ORL 44).

Advisory Board

Brainstorming Session, July 11, 2002, A2.02W; A2.03W; B1.11W; B1.15W; B2.05W; C1.17W; C1.18W; C2.15W.

Research

Administration on Children, Youth and Families, The Program Manager's Guide to Evaluation (Washington, D.C.: U.S. Department of Health and Human Services, Administration for Children and Families, 1997).

E. Chelimsky and W.R. Shadish, Evaluation for the 21st Century: A Handbook (New York: Sage Publications, Inc., 1997).

Children's Bureau, Children's Bureau Evaluation Handbook (Washington, D.C.: U.S. Department of Health and Human Services, Administration for Children and Families, 1997).

Connecticut Policy and Economic Council (CPEC), Juvenile Justice Program Evaluation. Study Design, <<http://www.cpec.org/jj/jjstudydesign.html>>.

National Council of Juvenile and Family Court Judges, Thinking About Program Evaluation: What Is It and Why You Should Do It, Technical Assistance Bulletin, April 1998).

2.5W Lack of Management Information Systems.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p.12, Section K (LC 17; LC 19; LC 20; LC 39; ALEX 26; JEFF 14; ORL 16).

Survey of Stakeholder Agencies

Lafayette

Written Comments

Youth Advocacy Task Force, Letter advocating uniform case data collection and reporting for better quality assurance by defenders, prosecutors, probation/parole officers, and the courts, August 30, 2002

Advisory Board

Brainstorming Session, July 11, 2002, A2.01W; B2.04W; C2.01W; C2.02W; D2.02W.

Research

Bureau of Justice Assistance, Report of the National Task Force on Court Automation and Integration (Washington, D.C.: U.S. Department of Justice, Bureau of Justice Assistance, June 1999).

Katy Gallagher, "The Importance of Court Management Information Systems," Child/Court Works 4 (September, 2000).

Don M. Gottfredson, ed., Juvenile Justice with Eyes Open. Methods for Improving Information for Juvenile Justice (Pittsburgh, PA: National Center for Juvenile Justice, April 2000).

SEARCH, The National Consortium for Justice Information and Statistics, Planning the Integration of Juvenile Justice Information Systems: Developing Justice Information Exchange Points (Sacramento, CA: SEARCH, March 2000).

SEARCH, Integration in the Context of Justice Information Systems: A Common Understanding. A SEARCH Special Report (Sacramento, CA: SEARCH, March 2000).

U.S. Department of Justice, Integrated Justice Information Systems (Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of the General Counsel, April 12, 2000).

Patricia M. Torbet, Design Principles for Juvenile Court Information Systems (Pittsburgh, PA; National Center for Juvenile Justice, 1991).

U.S. Department of Justice, Privacy Design Principles (Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of the General Counsel, April 5, 2000).

2.6W Lack of Data Sharing.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 12, Statement K2 (EBR 13; LAF 7; ALEX 27; ALEX 33; TAM 10; JEFF 14) Statement K3 (LC 19; LC 20) Statement K6 (LC 17; JEFF 14).

Survey of Stakeholder Agencies

Caddo; Iberia; Jefferson; 14th JDC

Advisory Board

Brainstorming Session, November 20, 2001, C15.

Brainstorming Session, July 11, 2002, A2.01W; A2.05O; B2.02O; C2.02W; C2.05W; D2.06W.

Research

Alice Bussiere, Abigail English, and Catherine Teare, Sharing Information. A Guide to Federal Laws on Confidentiality and Disclosure of Information for Child Welfare Agencies (Washington, D.C.: The ABA Center on Children and the Law, National Resource Center on Legal and Court Issues, 1997).

T.J. Etten and R.F. Petrone, "Sharing Data and Information in Juvenile Justice: Legal, Ethical, and Practical Considerations," Juvenile and Family Court Journal 45 (3, 1994): 65-90.

Don M. Gottfredson, ed., Juvenile Justice with Eyes Open. Methods for Improving Information for Juvenile Justice (Pittsburgh, PA: National Center for Juvenile Justice, April 2000).

Michael L. Medaris, Ellen Campbell, and Bernard James, Sharing Information: A Guide to the Family Educational Rights and Privacy Act and Participation in Juvenile Justice Programs (Washington, D.C.: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention and U.S. Department of Education, Family Policy Compliance Office, June, 1997).

SEARCH, The National Consortium for Justice Information and Statistics, Planning the Integration of Juvenile Justice Information Systems: Developing Justice Information Exchange Points (Sacramento, CA: SEARCH, March 2000).

Julie Slayton, "Establishing and Maintaining Interagency Information Sharing," JAIBG Bulletin (March 2000).

2.7W Problems with Research and Planning.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, P. 10, Statement 12 (ALEX 33).

Advisory Board

Brainstorming Session, July 11, 2002, A2.03W; A2.05W; A2.06W; A2.08W; A4.03W; B1.15W; B2.01W; B2.02W; B2.03W; B2.07W; B2.08W; B.2.10W; B2.11W; C2.03W; C2.04W; C2.06W; C2.07W; C2.08W; C2.09W; C2.10W; C2.12W; C2.13W; C2; 14W; D2.01W; D2.05W.

2.8W Lack of Accountability.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 6-7, Section F (EBR 7; EBR 22; LAF 9; ALEX 9; ALEX 23; ALEX 33; SB 16; SB 12; SB 21; MON 21; JEFF 22; JEFF 30; ORL 17; ORL 18; ORL 21; ORL 44).

Advisory Board

Brainstorming Session, C29.

Brainstorming Session, July 11, 2002, B1.15W; B2.09W; C1.17W; C1.18W; C2.11W; C4.16W; D1.05W.

Research

Megan Kurylchek, Patricia Torbet, and Melanie Bozynski, "Focus on Accountability: Best Practices for Juvenile Court and Probation," JAIBG Bulletin (August, 1999).

"Janiculum Symposium Recommendations," in Juvenile and Family Court Journal 49, 4 (Fall, 1998): 107-132.

National Association for Court Management, Holding Courts Accountable: Counting What Counts, (Williamsburg, VA: National Association for Court Management, Spring 1999).

Opportunities:

2.10 Opportunities from Existing Research and Models.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 9, Statement I1 (EBR 14; OL 32) p. 10, Statement I4 (LC 13) Statement 16 (ORL 13).

Advisory Board

Brainstorming Session, July 11, 2002, A2.04O; 2.08O; A3.05O; A3.08O; B2.05O; D2.01O; D2.02O; D2.03O; D2.07O; D4.04O; D4.08O.

Research

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2.2O Opportunities from New Research.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 10, Statement I8 (MON 3).

Written Comments

Victims and Citizens Against Crime, Letter listing items for further research and study, January 23, 2002

Advisory Board

Brainstorming Session, July 11, 2002 A2.02O; A2.03O; A4.09O; B2.01O; B2.08O; B2.11O; B4.04O; C2.02O; C2.03O; C2.04O; C2.05O; C2.06O; D2.05O; D2.06O; D2.07O.

2.3O Monitoring and Evaluation.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 6, Section F (EBR 7; EBR 14; EBR 22; LAF 9; LAF20; LC 40; ALEX 9; ALEX 23; ALEX 33; SB 12; SB 21; SB 26; SB 32; MON 3; MON 21; JEFF 22; JEFF 30; ORL 2; ORL 17; ORL 18; ORL 21; ORL 44).

Written Comments

Lincoln #1

Youth Advocacy Task Force, Letter advocating the conditioning of funding on outcome-based evaluations and independent monitoring as a means of ensuring effectiveness and accountability, August 30, 2002

Advisory Board

Brainstorming Session, July 11, 2002, A2.06O; A3.02O; B2.04O; B2.07O; B2.10O; B3.03O; D2.08O; D4.04O; D4.06O.

Research. Juvenile Justice Commission Research Team, Summary of Findings: Review of Literature on Juvenile Justice, June 20, 2002.

2.4O Annie E. Casey Foundation Study.

Advisory Board

Brainstorming Session, July 11, 2002, A2.01O; A3.04S.

2.5O Use of Technology and Information Systems.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 12, Section K.

Advisory Board

Brainstorming Session, July 11, 2002, A2.05O; 2.09O; B2.01O; B2.02O; B2.03O; B4.08O; B4.09O; C1.15W; C2.01O.

Research

See notes for 2.5W and 2.6W above.

2.6O Comprehensive Strategy.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 1, Statement A3 (EBR 10; TAM 10; TAM 19; JEFF 1; JEFF 18; Jeff 19) p. 2, Statement A26 (TAM 19).

Comprehensive Strategy Survey Results

More than 88% of the approximately 465 persons who responded to the Comprehensive Strategy Survey agreed with all six principles of the Comprehensive Strategy.

Research

Juvenile Justice Commission Research Team, Summary of Findings: Review of Literature on Juvenile Justice, June 20, 2002.

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2.7O Balanced and Restorative Justice.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 27. Statement 11 (JEFF 21; ORL 15; ORL 23).

Written Comments

Lincoln #2

Research

Gordon Bazemore and Mark Umbreit, Guide for Implementing the Balanced and Restorative Justice Model, OJJDP Report (Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention, December, 1998).

Gordon Brazemore, "Spotlight on Balanced and Restorative Justice," American Prosecutors Research Institute In Re 11 (Fall, Winter, 1998).

Tom Cavanagh, "Restorative Justice: Adopting New Values for the Courts." The Court Manager 13, 2/3 (1998): 24-27.

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Office of Juvenile Justice and Delinquency Prevention (OJJDP), Balanced and Restorative Justice Program Summary (Washington, D.C.: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, n.d.).

Mara F. Schiff, "Restorative Justice Interventions for Juvenile Offenders: A Research Agenda for the Next Decade," Western Criminology Review 1(1) <<http://www.wcr.sonoma.edu/v1n1/Schiff>> 1998.

Mark S. Umbreit, Family Group Conferencing: Implications for Crime Victims (Washington, D.C.: Office for Victims of Crime, April, 2000).

Threats:

Note: See statements of weaknesses.

3.00 Restructuring and Finance Issues

Strengths:

3.1S Recognition of the Need for Restructuring.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, Part 1, Section J.

Written Comments

John Bologna Krentel, Draft of Proposed "Juvenile Services Coordination Act, April 15, 2002

Advisory Board

Brainstorming Session, November 20, 2001, B1; B5; B6; B8; B13; B14; B19; B22; C6; C17.

Brainstorming Session, July 11, 2002, C3.03S; D3.06S; C3.03O.

3.2S Availability of Federal Funding.

Advisory Board

Brainstorming Session, July 11, 2002, A3.05S; C3.01S; C3.04S; C3.04O; C4.04S; D3.03S; D3.04S.

3.3S Local Infrastructure.

Advisory Board

Brainstorming Session, July 11, 2002, A4.04S; A4.05S; B3.05S; B4.03S.

3.4S Budget Strengths.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, 25-28, Part 2, FINS, Truancy and other Diversion Programs Sections.

Advisory Board

Brainstorming Session, July 11, 2002, B3.03S; C4.09S; C4.10S; D1.11S; D3.01S; D3.02S; D4.02S.

Weaknesses:

3.1W Lack of Communication, Coordination, Collaboration.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 1, Statement A6 (EBR 7; EBR 9; EBR 10; EBR13; EBR 19; EBR 25; LAF 7; LAF 23; LC 3; LC 11; LC 16; LC 17; LC 24; LC 31; LC 36; ALEX 5; ALEX 23; ALEX 33; MON 26; TAM 10; JEFF 30; ORL 23; ORL 24; ORL 31) p. 2, Statement A22 (ORL 24).

Written Comments

Calcasieu #30; Jefferson #10

John Bologna Krentel, Draft of Proposed "Juvenile Services Coordination Act, April 15, 2002

Survey of Stakeholder Agencies

Bienville; Bossier City; Calcasieu; Lafayette; Minden City; St. Tammany; 14th JDC; 16th JDC; 17th JDC

Advisory Board

Brainstorming Session, November 20, 2001, A2; B13; C4; C17.

Brainstorming Session, July 11, 2002, A4.01W; B1.01W; B1.12W; B3.04W; B4.08W; B4.09W; C1.03W; C4.15W; D3.06W; D3.09W.

Research

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S.L. Kagan, United We Stand: Collaboration for Child Care and Early Education Services (New York, Teachers College Press, 1991).

Linda Kunesh and Joanne Farley, Integrating Community Services for Young Children and Their Families, North Central Regional Educational Laboratory (NCREL) Policy Brief, Report 3, 1993, <www.ncrel.org/sdrs/areas/issues/envrnmnt/go/93>.

Maryland Juvenile Justice Coalition, Principles of a Model Juvenile Justice System (Baltimore, MD: Maryland Juvenile Justice Coalition, February, 2001): Guiding Principle 2.

A.I. Melaville and M.J. Blank, What it Takes: Structuring Interagency Partnerships to Connect Children and Families with Comprehensive Services (Washington, D.C.: Education and Human Services Consortium, 1991).

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C.M. Nelson and C.A. Pearson, Integrating Services for Children and Youth with Emotional and Behavioral Disorders (Reston, VA: The Council for Exceptional Children, 1991).

3.2W Inadequate System of Financing.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 1-2; Part 1, Section A; p. 3, Part 1, Section B; p.11, Statement J2 (EBR 7); Statement J3 (EBR 9); Statement J4 (EBR 7).

Written Comments

St. Martin #1; Miscellaneous #2

Louisiana Association of Child Care Agencies (LACCA), Letter recommending a centralized Children's Budget and an integrated system of financing provided through a dedicated, consistent funding stream, No Date

Advisory Board

Brainstorming Session, July 11, 2002, A3.02W; A3.03W; A3.08W; B3.08W; B3.09W; C3.04W; C3.06W; C3.08W; C3.11W; C3.12W; C3.13W; C3.15W; D3.04W; D3.10W.

Research

Alliance for Redesigning Government, State Investment in Education and Other Children's Services: State Progress Toward Financing Reform, ONLINE, The Finance Project.

Alliance for Redesigning Government, State Investment in Education and Other Children's Services: Case Studies in Financing Innovations, ONLINE, The Finance Project.

Charles Bruner, Financing and Outcomes Accountability in Child Welfare: An Assessment of the State of the Field (Des Moines, IA: Child and Family Policy Center, 2000).

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Marty Giffin, Abram Rosenblatt, Nancy Mills, and Mark Friedman, Capturing Cash for Kids: A Workbook for Reinvesting for Community-Based Prevention Approaches for Children and Families (Sacramento, CA: Foundation Consortium, September 1998).

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Legislation

The legislation establishing the Children's Budget, R.S. 46:2604, requires the Children's Cabinet to determine the feasibility, advisability, and merit of pooling funding, using single-purchasing systems, using funding mechanisms to effect greater coordination of services, and directing funding to family preservation and nonresidential options. Implicit in the legislation is the recognition that the state's current system of financing may be inadequate and needs to be studied in terms of the concepts of pooling, single purchasing, etc.

3.3W Organization and Culture of Existing Executive Departments.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 1, Part 1, Statement A7 (EBR 7; ORL 21) p.1, Statement A10 (SB 26; MON 7)p.2, Part 1, Statement A12-14 (MON5) Statement A17-20 (LC 2; SB 32; MON 26; JEFF 7; JEFF 30) p. 11, Statement J1 (EBR 6; EBR 7; ALEX 34; MON 5) Statement J2 (EBR 7); Statement J3 (EBR 9); Statement J4 (EBR 7); Statement J8 (SB 12; SB 18; SB28; MON 21; JEFF 8.

Survey of Stakeholder Agencies

16th JDC

Written Comments

John Bologna Krentel, Draft of Proposed "Juvenile Services Coordination Act, April 15, 2002

Louisiana Association of Child Care Agencies (LACCA), Memorandum recommending the elimination of the placement of juvenile offenders with the Office of Youth Development, and the establishment of an Office of Children's Services to oversee the development of a comprehensive, integrated system of care for all youth across the state of Louisiana, September 13, 2002

Judge Jude Fanguy, Letter recommending the removal of all juvenile programs currently operated by the Office of Youth Development and the placement of those programs in another unit of government, No Date

Advisory Board

Brainstorming Session, November 20, 2001, B1; B5; B8; B19; B29.

Brainstorming Session, July 11, 2002, B1.04O; B1.05O; B3.02W; B3.05W; C3.06W; C3.08W; C3.15W.

3.4W Under-Funding of Juvenile Justice.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 3, Part 1, Statement B1 (EBR 9; EBR 14; EBR 17; EBR 27; LAF 19; LC 2; LC 16; LC 26; ALEX 1; ALEX 3; ALEX 26; ALEX 30; ALEX 33; SB 7; SB 11; MON 7; TAM 3; TAM 8; TAM 10; TAM 23; JEFF 7; JEFF 18; JEFF 22; JEFF 23; ORL 16; ORL 44; Statement B 12 (SB 19); p. 4, Statement B19-25 (TAM 4; TAM 5; TAM 7; TAM 10; TAM 21; TAM 23; ORL 44) Part 3; Part 4; Part 5.

Survey of Stakeholder Agencies

East Carroll; 11th JDC (especially in rural areas); Grant; Rapides

Written Comments

Youth Advocacy Task Force, Letter advocating reasonable caseloads, better training, and better support for system, August 30, 2002

Advisory Board

Brainstorming Session, November 20, 2001, A3; B3; B7; C1; C2.

Brainstorming Session, July 11, 2002, A3.01W; A3.06W; A3.07W; A4.09W; B3.06W; B4.06W; C3.02W; C3.03W; C3.04W; C4.08W; D3.02W; D3.04W; D3.05W; D3.12W; A3.04O; D3.01O; D3.03O.

3.5W Misplaced Juvenile Justice Priorities.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 3, Part 1, Statement B7 (SB 4; SB 32; ALEX 32; JEFF 23; Statements B8-9 (SB 8; EBR 23; JEFF 23; ORL 29) Statement B18 (ORL 29); P. 18-28, Part 2.

Written Comments

Bossier #2

Advisory Board

Brainstorming Session, July 11, 2002, A1.05W; A3.05W; B1.07W; B1.16W; B1.17W; C1.08W; D1.08W; D3.01W; D3.02W.

3.6W Budgetary Commitment.

Advisory Board

Brainstorming Session, July 11, 2002, A1.06W; B1.06W; B1.08W; B3.01W; C3.04W; C3.05W.

3.7W Structure of the Judicial System.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p11. Part 1, Statement J5 (LAF 7; SB 13; JEFF 20); Statement J6 (LC 4; ORL 42); Statement J7 (LAF 10; LC 27); Statement J9 (SB 29; ALEX 27; ALEX 36); Statement J10 (SB 34).

Advisory Board

Brainstorming Session, November 20, 2001, B5.01O; B5.07O; B5.12O; B5.13O; B22; C5.03O; D3.04O; D5.04O.

Research

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3.8W "Real" Juvenile Justice System.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 1, Part 1, Statement A1 (EBR 23; LC 11; LC 44; TAM 9); Statement A9 (LC 44); p. 2, Statement A19 (MON 26; JEFF 30).

Advisory Board

Brainstorming Session, July 11, 2002, B1.05W; C4.06W; D1.10S; D1.06W.

Opportunities:

3.1O Creating a Real Juvenile Justice System.

Public Testimony

See references to 3.9W above.

Advisory Board

Brainstorming Session, July 11, 2002, A3.05O; A3.08O; A4.01O; B3.01O; B3.08O; B4.05O; C1.01O; C1.02O; C1.03O; C3.01O; C3.02O; C3.03O; C3.04O; C3.05O; C4.01O; C4.06W; D1.10S; D3.06O.

3.2O Creating a Better Financing System.

Public Testimony

See references to 3.3W above.

Written Comments

Advisory Board

Brainstorming Session, July 11, 2002, A3.02O; B3.02O; B3.07O; B4.11O; B4.12O; B5.08O; C3.02O; C3.03O; C3.04O; D3.07O.

Research

See references to 3.3W above.

3.3O Increased Funding for Strategically Targeted Juvenile Justice Services.

Public Testimony

See references to 3.5W above.

Written Comments

Youth Advocacy Task Force, Letter advocating equality of compensation between defenders and prosecutors and recommending that defense attorneys have access to necessary administrative support and independent investigators and experts, August 30, 2002

Louisiana Association of Child Care Agencies (LACCA), Letter recommending a dedicated, consistent stream of funding for services to youth, No Date

Advisory Board

Brainstorming Session, November 20, 2001, A3; B3; B7; B28; C1; C3; C11.

Brainstorming Session, July 11, 2002, A3.04O; A3.06O; A3.07O; A4.05O; B3.05O; B3.06O; B3.07O; B4.01O; B4.06O; B4.12O; B5.08O; C3.04O; D3.01O; D3.03O; D3.06O; D3.07O; D4.01O; D4.08O.

3.4O Restructuring Court System.

Public Testimony

See references to 3.8W above.

Written Comments

St. Martin #2

Advisory Board

Brainstorming Session, November 20, 2001, B22; C12.

Brainstorming Session, July 11, 2002, A3.02O; B3.02O; B5.01O; B5.07O; B5.12O; B5.13O; C3.02O; C3.03O; C3.04O; C5.03O; D3.04O; D5.04O.

3.5O Restructuring Executive Branch Departments.

Public Testimony

See references to 3.4W above.

Survey of Stakeholder Agencies

16th JDC

Written Comments

John Bologna Krentel, Draft of Proposed "Juvenile Services Coordination Act, April 15, 2002

Louisiana Association of Child Care Agencies (LACCA), Letter recommending the elimination of the placement of juvenile offenders with the Office of Youth Development, and the establishment of an Office of Children's Services to

oversee the development of a comprehensive, integrated system of care for all youth across the state of Louisiana, No Date

Advisory Board

Brainstorming Session, November 20, 2001, B1; B5; B8; B19; B29.

Brainstorming Session, July 11, 2002, A3.02O; B1.04O; B3.02O; C3.02O; C3.03O; C3.04O; D3.05O; D3.06O.

3.6O Opportunities for Community-Based Services

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p 4, Part 1, Section C.

Written Comments

Youth Advocacy Task Force, Letter advocating community-based services and other recommendations, August 30, 2002

Louisiana Association of Child Care Agencies (LACCA), Letter recommending more community-based services, No Date

Advisory Board

Brainstorming Session, November 20, 2001, A9; B1; B8; C6.

Brainstorming Session, July 11, 2002, A3.02O; B3.02O; C3.02O, C3.03O; C3.04O; D3.04O.

Research

Juvenile Justice Commission Research Team, Summary of Findings: Review of Literature on Juvenile Justice, June 20, 2002.

L. Robinson, Linking Community-Based Initiatives and Community Justice (Washington, D.C.: National Institute of Justice, 1996).

Stephen A. Matthews, Guide to Community-Based Alternatives for Low-Risk Juvenile Offenders (Washington, D.C.: State Justice Institute, November 1999).

Office of Juvenile Justice and Delinquency Prevention (OJJDP), Matrix of Community-Based Initiatives, <<http://www.ncjrs.org/pdffiles/matrix.pdf>> 2000.

Threats:

3.1T Failure to Restructure and Reprioritize.

Advisory Board

Brainstorming Session, July 11, 2002, A3.04T; A3.06T; A3.10T; D5.10T.

3.2T Failure to Find Additional Money.

Advisory Board

Brainstorming Session, July 11, 2002, A3.02T; A3.05T; A3.08T; A5.02T; B3.01T; B5.03T; C3.02T; C3.05T; D3.02T; D3.03T; D5.05T.

3.3T Failure to Restructure Properly.

Advisory Board

Brainstorming Session, July 11, 2002, A3.03T; A3.05T; A3.07T; A3.09T; C3.02T; C3.04T; D3.05T.

4.00 Prevention, Education, and Treatment Issues

Strengths:

4.1S Defining a Continuum of Services.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p.1, Part 1, Statement A4 (EBR 1; EBR 8; EBR 11; LAF 2; LAF 20; LC 5; LC 20; LC 39; LC 40; SB 7; ORL 17).

Comprehensive Strategy Survey Results

88% of the approximately 465 persons who responded to the Comprehensive Strategy Survey agreed with the principle of *Establishing a continuum of progressively intensive services and sanctions to respond appropriately to the needs of each juvenile offender, while holding them accountable and protecting the public.*

Written Comments

Louisiana Association of Child Care Agencies (LACCA), Letter recommending a comprehensive, integrated system of care for all youth across the state, No Date

Judge Mark Doherty, List of Alternatives to Incarceration, February 5, 2002

Other

Louisiana Children's Cabinet, Comprehensive Plan of Services, 1999

Louisiana Children's Cabinet, The Alpha Project. Comprehensive Community-based Services for Children Ages 0-5, July 19, 2000

Advisory Board

Brainstorming Session, November 20, 2001, B21; B28.

Brainstorming Session, July 11, 2002, C4.03S.

Research

American Correctional Association (ACA), American Correctional Association (ACA) Legislative Position Statement on Rehabilitation and Prevention Programs and Services.

American Probation and Parole Association (APPA), Position Statement on Juvenile Justice (Approved 1996) <<http://www.appa-net.org/about%20appa/juvenile.htm>>.

National Collaboration for Youth (NCY) Public Policy Position Statement on Juvenile Justice and Delinquency Prevention, <<http://www.nydic/policypositions/juvenile justice.htm>>.

Orange County Probation Department, California, Orange County's Model Continuum of Juvenile Justice Services, <<http://www.oc.ca.gov/Probation/e8%25Solution/eModelContinuum.asp>>.

Beth A. Stroul and Robert M. Friedman, A System of Care for Severely Emotionally Disturbed Children and Youth (Washington, D.C.: CASSP Technical Assistance Center, Georgetown University Child Development Center, July 1986)

4.2S **Prevention.**

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p.5, Part 1, Section D.

Written Comments

Calcasieu #27

Advisory Board

Brainstorming Session, November 20, 2001, A16; B18; C7.

Brainstorming Session, July 11, 2002, A4.01S; A4.02S; A4.06S; B4.03S; B4.04S; D4.02S; D4.03S; D4.05S; D4.06S.

Research

The Administration of Children and Families, Prevention Pays: The Costs of Not Preventing Child Abuse and Neglect, (Washington, D.C.: U.S. Department of Health and Human Services, April, 1999).

The Administration of Children and Families, Robert A. Caldwell, The Costs of Child Abuse vs. Child Abuse Prevention: Michigan's Experience, <www.msu.edu/user/bob/cost> 1992.

Children's Defense Fund, Child Abuse Prevention: Michigan's Experience (Washington, D.C.: Children's Defense Fund, 1990).

H. Dubowitz. "Costs and Effectiveness of Interventions in Child Maltreatment," Child Abuse and Neglect 14, 2 (1990): 177-186.

Little Hoover Commission, The Juvenile Justice Challenge: Making Prevention a Priority, <<http://www.lhc.ca.gov/lhcdir/127rp.htm>>1994.

S. Milhalic, K. Irwin, et al., Blueprints for Violence Prevention (Washington, D.C.: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, July 2001).

North Carolina Department of Health Education and Promotion, Model Family Programs for Delinquency Prevention Program Matrix, <<http://www.strengtheningfamilies.org/html/modelprograms1997/mfp.pg1.html>> 1997.

J.T. Simmons, Programs That Work: Evidence of Primary Prevention of Child Abuse (Houston, TX: Greater Houston Committee for the Prevention of Child Abuse, 1986).

T.N. Thornton, C.A. Craft, and, L.L. Dahlberg, Best Practices of Youth Violence Prevention: A Sourcebook (Atlanta: GA: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 2000).

U.S. General Accounting Office, Child Abuse Prevention Programs Need Greater Emphasis (Washington, D.C., GAO, 1992).

4.3S **Early Intervention.**

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p.5, Part 1, Section D.

Comprehensive Strategy Survey Results

96% of the approximately 465 persons who responded to the Comprehensive Strategy Survey agreed with the principle of *Intervening immediately and effectively when delinquent behavior occurs to successfully prevent delinquent offenders from becoming chronic offenders or committing progressively more serious and violent crimes.*

Written Comments

Calcasieu #19; Lafayette #15

Advisory Board

Brainstorming Session, November 20, 2001, A16; B12; B17; C8.

Brainstorming Session, July 11, 2002, C4.03S; D4.02S.

Research

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4.4S Education.

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Advisory Board

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4.5S Existing Treatment Services.

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Advisory Board

Brainstorming Session, July 11, 2002, A4.03S; B4.02S; B4.05S; B4.06S; B4.07S; B4.08S; C4.05S; C4.06S; C4.07S; C4.09S; C4.10S; D1.11S; D4.02S; D4.07S; D4.08S.

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4.6S Recognition of the Need for Family Support and Involvement.

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Comprehensive Strategy Survey Results

96% of the approximately 465 persons who responded to the Comprehensive Strategy Survey agreed with the principle of *Strengthening the family in its primary responsibility to instill moral values and provide guidance and support to children.*

Written Comments

Calcasieu #12; Calcasieu #22; Calcasieu #32; Miscellaneous # 1; Miscellaneous #3

Youth Advocacy Task Force, Letter advocating family participation in the planning, development and implementation of treatment services for children and youth, August 30, 2002

Advisory Board

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Weaknesses:

4.1W Gaps in Continuum of Services.

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Written Comments

Calcasieu #4; Calcasieu #6; Calcasieu #7; Calcasieu #8; Calcasieu #9; Calcasieu #13; Calcasieu #15; Calcasieu #16; Calcasieu #17; Calcasieu #19; Calcasieu #23; Calcasieu #24; Calcasieu #25; Calcasieu #26; Calcasieu #27; Calcasieu #28; Calcasieu #29; Calcasieu #31; East Baton Rouge #2

Youth Advocacy Task Force, Letter advocating continuum of care that ranges from least to more restrictive alternatives, August 30, 2002

Louisiana Association of Child Care Agencies (LACCA), Letter recommending the development of a comprehensive, integrated system of care for all youth across the state of Louisiana, No Date

Advisory Board

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4.2W Lack of Child and Juvenile Mental Health Services.

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Written Comments

Bossier #1; Bossier #3; Caddo # 12; Caddo #13; Calcasieu # 17; Calcasieu #23; East Baton Rouge #2; St. Tammany #1; St. Tammany #3; Washington #1; Miscellaneous #2

Youth Advocacy Task Force, Letter advocating more mental health, August 30, 2002

Survey of Stakeholder Agencies

11th JDC; 16th JDC

Advisory Board

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4.3W Lack of Alcohol and Drug Abuse Prevention and Treatment Services.

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Written Comments

Calcasieu #26

Youth Advocacy Task Force, Letter advocating more substance abuse treatment services, August 30, 2002

Survey of Stakeholder Agencies

11th JDC; 16th JDC

Advisory Board

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4.4W **Lack of Family Strengthening and Parenting Services.**

Public Testimony

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Comprehensive Strategy Survey Results

96% of the approximately 465 persons who responded to the Comprehensive Strategy Survey agreed with the principle of *Supporting core institutions, such as schools, churches, and community organizations, in their role in developing capable, mature, and responsible youth.*

Written Comments

Calcasieu #1; Calcasieu # 2; Calcasieu # 3; Calcasieu # 12; Calcasieu #19; Calcasieu #20; Calcasieu #22; Calcasieu #26; East Baton Rouge #5; Lafayette #2; Lafayette #17

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Survey of Stakeholder Agencies

16th JDC

Advisory Board

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4.5W Lack of Community-Based Services.

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4.6W Zero Tolerance Policies.

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Written Comments

Ascension #1

Advisory Board

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4.7W Lack of Juvenile Sexual Offender Services; Lack of Professional Consensus on Treatment Protocols.

Public Testimony

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Written Comments

Calcasieu # 6; Calcasieu # 7; Calcasieu # 8; Calcasieu # 9; Calcasieu # 10; Calcasieu #28; Lafayette #

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Written Comments

Calcasieu #26; Lafayette #6

Survey of Stakeholder Agencies

Lafayette; Sabine; 26th JDC

Advisory Board

Brainstorming Session, July 11, 2002, C4.03W.

4.9W Lack of School Services Dealing with Behavioral Issues.

Public Testimony

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Written Comments

Calcasieu # 5; Calcasieu #15; Calcasieu #16; Calcasieu # 21; Jefferson #3; Lafayette #4; Lafayette #14; Lafayette #16; Lafayette #18

Advisory Board

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Written Comments

Calcasieu # 16

Advisory Board

Brainstorming Session, November 20, 2001, C9.

Brainstorming Session, July 11, 2002.

4.11W Lack of Assessment and Early Identification Programs.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 6, Part 1, Section E.

Written Comments

Caddo #7; Caddo #87; Caddo #9; Caddo #11; Calcasieu #11

Advisory Board

Brainstorming Session, November 20, 2001, A18; B16; C18.

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Public Testimony

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Written Comments

Jefferson #5

Advisory Board

Brainstorming Session, July 11, 2002, A4.03O; B4.05W; C4.10W.

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4.13W Lack of Services for Female Youth Offenders.

Public Testimony

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Written Comments

Calcasieu #9; Calcasieu #17; West Baton Rouge #1

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Survey of Stakeholder Agencies

St. Charles; 16th JDC

Advisory Board

Brainstorming Session, November 20, 2001, A13; C28; D4.09W.

Brainstorming Session, July 11, 2002.

4.15W Lack of Professionals Specializing in Children's Issues and Juvenile Justice Issues.

Written Comments

Washington # 2

Advisory Board

Brainstorming Session, July 11, 2002, C4.19W; C4.20W.

4.16W Lack of After-School, Recreational Services, Mentoring Programs.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 33, Part 3, Section F; p. 34, Part 3, Section H; p. 39, Part 4, Statement A32 (ORL 3); p. 40, Statement B2 (SB 25).

Written Comments

Calcasieu # 4; Calcasieu #15; Calcasieu #15; Calcasieu #17; Calcasieu #26; Calcasieu #27; Calcasieu #29;

Survey of Stakeholder Agencies

16th JDC

Advisory Board

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4.17W Lack of After-Care/Transition Programs.

Public Testimony

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Written Comments

Calcasieu 28; Calcasieu 31; Lafayette #8

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4.18W Lack of Central Intake Systems.

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Written Comments

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Advisory Board

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Opportunities:

4.10 Viability of Prevention, Early Intervention, and Treatment Programs.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 5, Part 1, Section D; p. 34, Part 3, Section I, p. 39, Part 4, Statement A28 (ALEX 39).

Written Comments

Lafayette #15

Advisory Board

Brainstorming Session, November 20, 2001, A16; B12; B16; B17; C7.

Brainstorming Session, July 11, 2002, A4.02W; A4.04O; A4.07O; B4.15W; D3.01O; D4.01O.

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4.20 More Effective Case Management.

Advisory Board

Brainstorming Session, July 11, 2002, D4.05O.

Threats:

Note: See statements of weaknesses.

5.00 Issues Affecting Law and the Administration of Justice

Strengths:

5.1S Louisiana Children's Code.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 13, Part 1, Statement L15 (EBR 9; ALEX 23).

Advisory Board

Brainstorming Session, November 20, 2001, B23; B31.

Brainstorming Session, July 11, 2002, A1.03S; A5.03S; A5.04S; B5.01S; B5.08W; C5.01S; C5.11S; C5.16S; D5.01S; D5.08O.

5.2S Specialized Juvenile Courts.

Public Testimony.

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, P.11, Part 1; Statement J5 (LAF 7; SB 13; JEFF 20); Statement J7 (LAF 10; LC 27); Statement J9 (SB 29; ALEX 27; ALEX 36).

Written Comments

Lafayette #1

Advisory Board

Brainstorming Session, July 11, 2002, B1.07S; B5.11S; D5.03S.

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5.3S Specialized Juvenile Divisions of General Jurisdiction Courts.

Advisory Board

Brainstorming Session, July 11, 2002, B5.11S; B5.13S.

5.4S Specialized Child Dependency Divisions.

Advisory Board

Brainstorming Session, July 11, 2002, B5.11S; B5.13S; D5.01S.

5.5S Family Courts.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 11, Part 1, Statement J6 (LC 4; ORL 42).

Advisory Board

Brainstorming Session, November 20, 2001, C12.

Brainstorming Session, July 11, 2002, 5.6S; See Brainstorming Session, July 11, 2002, B5.08S; B5.11S; C5.03O; C5.07S; D4.01S; D5.01S; D5.07S.

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5.6S Families in Need of Services (FINS).

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Written Comments

Lafayette #15

Research

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5.7S **Drug Courts.**

Public Testimony. Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 27; Part 2, Section D -- Other Diversion Programs, Statement 5 (LC 3); p. 31, Part 3, Statement B10 (JEFF 27); B17 (TAM 11); p. 45, Part 5, Statement D8 (SB 10; SB24), B5.08S; C5.07S; D4.01S; D5.07S.

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5.8S **Truancy Assessment and Service Centers (TASCs).**

Public Testimony.

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Survey of Stakeholder Agencies

St. Charles (complaint about the lack of a truancy center in the Parish)

Advisory Board

Brainstorming Session, July 11, 2002, C5.06S.

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5.9S Court-Appointed Special Advocates (CASA).

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 41, Part 3, Statement C9 (ALEX 23; ORL 23); Statement C10 (ORL 23).

Written Comments

Caddo # 1; Caddo # 2; Caddo # 3.

Advisory Board

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5.10S Louisiana Public and Private Associations.

Advisory Board

Brainstorming Session, July 11, 2002, B5.03S; B5.07S.

5.11S Mental Health Advocacy Service (MHAS).

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p.30, Part 3, Statement A28 (ORL 48); A 29 (TAM 8).

Advisory Board

Brainstorming Session, July 11, 2002, A5.06S.

5.12S Indigent Defense System.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 44, Part 5, Statement A19 (JEFF 10); Statement A25 (ALEX 18).

Written Comments

Iberia #3

Advisory Board

Brainstorming Session, November 20, 2001, B6.

Brainstorming Session, July 11, 2002, A5.02S; D5.02S; D5.06S.

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5.13S Use of Informal Processes.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 25, Part 2, Section D and Section F.

Written Comments

Lincoln #2

Advisory Board

Brainstorming Session, C20.

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5.14S **Louisiana Protective Order Registry (LPOR).**

Advisory Board

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5.15S Compliance with the Adoption and Safe Families ACT (ASFA).

Public Testimony

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Written Comments

Jefferson #9; Jefferson #10

Louisiana Association of Child Care Agencies (LACCA), Letter indicating inadequate payments to residential and private foster care, OCS staff cuts, and the lack of psychiatric hospital beds for foster children, No date

Advisory Board

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5.16S **Victim Assistance.**

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Written Comments

Lincoln #2

Advisory Board

Brainstorming Session, July 11, 2002, C5.16S.

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Weaknesses:

5.1W Fragmentation of Court System.

Public Testimony

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Written Comments

St. Martin #2

Advisory Board

Brainstorming Session, July 11, 2002, C5.12W.

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5.2W Court Delays.

Public Testimony

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Written Comments

Calcasieu #14

Survey of Stakeholder Agencies

Grant; Bossier #1; Bossier City; Lafayette; 26th JDC

Advisory Board

Brainstorming Session, July 11, 2002, B5.18W.

Research

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5.3W High Caseloads.

Public Testimony

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Written Comments

Iberia #2

Youth Advocacy Task Force, Letter advocating reasonable caseloads and encouraging full-time practice by juvenile defense counsel and prosecutors, August 30, 2002

Survey of Stakeholder Agencies

1st JDC; Iberia; 16th JDC

Advisory Board

Brainstorming Session, July 11, 2002, A5.04W; B5.11W; C5.09W.

Research

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5.4W Lack of Graduated Sanctions and Other Behavior-Driven Incentives.

Public Testimony.

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Comprehensive Strategy Survey Results

94% of the approximately 465 persons who responded to the Comprehensive Strategy Survey agreed with the principle of *Establishing a continuum of progressively intensive services and sanctions to respond appropriately to the needs of each juvenile offender, while holding them accountable and protecting the public.*

Written Comments

Lafayette #15

Advisory Board

Brainstorming Session, November 20, 2001, B32; C28.

Brainstorming Session, July 11, 2002, A5.04W; B5.11W; C5.09W; D5.14W.

Research

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5.5W Lack of Training and Support.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 43, Part 5, Statement A1 (LAF 20); Statement A3 (LC 12); Statement A4 (JEFF 30); p. 44, Part 5, Statement B8 (EBR 24; ALEX 11); Statement B 11 (LC 29); Statement B17 (MON 26; ALEX 11); Statement B19 (JEFF 10); p. 45, Part 5, Statement D2 (LC 1); p. 46, Part 5, Statement D13 (SB 29); Statement D 21 (ORL 35); Statement D 23 (ORL 42).

Written Comments

Iberia #2; Washington #2

Youth Advocacy Task Force, Letter advocating best practices standards for representation, minimum training requirements and comprehensive initial and continuing training for all involved in the system, August 30, 2002

Survey of Stakeholder Agencies

14th JDC

Advisory Board

Brainstorming Session, A7; A19; B9; C1; C2; C3; C13.

Brainstorming Session, July 11, 2002, A5.03W; B5.01W; B5.10S; B5.10W; B5.12W; B5.14W; C1.13W; C4.07W; C5.19W; D5.09W; D5.16W.

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5.6W Lack of Support for Diversion.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 25, Section D.

Advisory Board

Brainstorming Session, July 11, 2002, A5.03W; B5.01W; B5.10W; B5.10S; B5.12W; B5.14W; C4.07W; C5.19W; D5.09W; D5.16W; A4.04W; A5.02W; A5.05W; A5.06W.

Brainstorming Session, C20.

Research

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5.7W Lack of Local Detention and Shelter Facilities/Services.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, pp. 22-23, Part 2, Section B; p. 45, Part 5, Statement D3 (LC 1).

Survey of Stakeholder Agencies

Beauregard; Caddo; 5th JDC; Iberia; Richland; Sabine; St. Charles; St. Helena (for status offenders); 31st JDC; 27th JDC

Advisory Board

Brainstorming Session, A13; C25; C26; C27.

Brainstorming Session, July 11, 2002, A4.04W; A5.02W; A5.05W; A5.06W; B5.13W.

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5.8W Misdiagnosis of Children with Mental or Behavioral Disabilities.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 20, Part 2, Statement A51 (MON 16); p. 29, Part 3, Statement A8 (LC 39); p. 30, Statement A 19 (LC 39); Statement A 24 (ORL 6); Statement A 28 (ORL 48).

Written Comments

Caddo # 13.

Advisory Board

Brainstorming Session, July 11, 2002, B5.13W.

Research

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5.9W Shortage of Juvenile Justice Attorneys.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 44, Section 5, Statement B 22 (ALEX 11); p. 45, Part 5, Statement B 27 (ORL 33); Statement B 28 (ORL 34).

Written Comments

Lafayette #3

Youth Advocacy Task Force, Letter advocating increased salaries and benefits and other support for defense attorneys, as well as continuity of representation, August 30, 2002

Advisory Board

Brainstorming Session, B24; B30.

Brainstorming Session, July 11, 2002.

Research

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American Bar Association, Juvenile Justice Center, Juvenile Law Center, and Youth Law Center, December, 1995).

5.10W Lack of Standards and Licensing Procedures for Local Detention Facilities.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 22, Part 2, Statement B 2 (LAF 1; LC 6; MON 8, TAM 15; TAM 16.

Written Comments

Lafayette #10; Lafayette #11; Lafayette #12

5.11W Excessive Allowance of Waiver of Counsel.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 44, Part 5, Statement B 18 (JEFF 8).

Written Comments

Youth Advocacy Task Force, Letter advocating prohibition of the practice permitting waiver of counsel in delinquency proceedings, August 30, 2002

Advisory Board

Brainstorming Session, July 11, 2002.

Research

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B.

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Patricia Puritz, et al., A Call for Justice: An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings (Washington, D.C.: American Bar Association, Juvenile Justice Center, Juvenile Law Center, and Youth Law Center, December, 1995).

5.12W Lack of Public Understanding of Court Processes.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 45, Part 5, Statement D 5 (LC 8); Statement D 6 (LC 31).

Written Comments

Youth Advocacy Task Force, Letter advocating more effective tools for thoroughly explaining juvenile legal rights and court processes in culturally appropriate terms, August 30, 2002

Advisory Board

Brainstorming Session, July 11, 2002, A5.07W; B5.02W; B5.19W; C5.10W; C5.14W; D5.03W; D5.11W; D4.07O.

5.13W Lack of Consistency in Juvenile Sentencing.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 45, Part 5, Statement D 7 (SB 7); Statement D9 (SB 26); p. 46, Part 5, Statement D 11 (SB 29).

Written Comments

Caddo #14

Annie E. Casey, Casey Strategic Consulting Group, Powerpoint Presentation, October, 2002

Advisory Board

Brainstorming Session, July 11, 2002, B5.02W; B5.04W; B5.15W; B5.19W; D4.03O; D5.04T; D5.05W; D5.10W; D5.17W.

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5.14W Problems with FINS.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, pp. 25-26, Part 2, Section D, Families in Need of Services.

Written Comments

East Baton Rouge #4; Jefferson #4; Jefferson # 6; Jefferson #8

Survey of Stakeholder Agencies

Bossier City

Advisory Board

Brainstorming Session, July 11, 2002, C5.15W; C5.16W; C5.18W; C5.20W; C5.21W; C5.23W; C5.24W.

Opportunities:

5.10 Involvement of Courts.

Advisory Board

Brainstorming Session, July 11, 2002, A1.03O; A5.01O; B4.09S; B5.10O; D5.03O.

5.20 Standards Developed by the Louisiana Juvenile Detention Center Association.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 22, Part 2, Statement B 2 (LAF 1; LC 6; MON 8; TAM 15; TAM 16).

Written Comments

Lafayette #10; Lafayette #11; Lafayette #12

Standards Submitted by the Louisiana Juvenile Detention Center Association.

5.3O Informal Processing.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 25, Part 2, Statement D 1 (LAF 9; LAF 10; LAF 12; ALEX 19; TAM 2; TAM 6; ORL 2; ORL 4; ORL 16; ORL 44; Statement D 3 (ALEX 13).

Advisory Board

Brainstorming Session, November 20, 2001, C20.

Brainstorming Session, July 11, 2002, A5.01S; C5.03S; C5.15S; C5.16S; C5.17S; D5.04S.

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5.4O Expanded Use of Hearing Officers/Commissioners.

Public Testimony

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Research

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5.5O Expanded Use of Judicial Case Management Techniques.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002 (ALEX 19)

Written Comments

Calcasieu #14

Advisory Board

Brainstorming Session, July 11, 2002.

5.6O Opportunity to Get More Attorneys Interested and Trained in Juvenile Justice.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 44, Section 5, Statement B 22 (ALEX 11); p. 45, Part 5, Statement B 27 (ORL 33); Statement B 28 (ORL 34).

Written Comments

Youth Advocacy Task Force, Letter advocating adequate salaries and benefits for juvenile defenders that are at least equal with the salaries and benefits of prosecutors, August 30, 2002

Advisory Board

Brainstorming Session, November 20, 2001, B24; B30.

Brainstorming Session, July 11, 2002, A5.05O; A5.07O; A5.09O; B5.03O; B5.04O.

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Threats:

5.1T Failure to Get Consensus from Judges.

Advisory Board

Brainstorming Session, July 11, 2002, A5.05T.

5.2T Trend Towards Eliminating Differences between Juvenile Justice and Adult Criminal Justice.

Public Testimony

Digest of Comments and Other Testimony Provided at the Public Hearings of the Juvenile Justice Commission, January-February, 2002, p. 1, Part 1, A., Statement 10 (SB 26; MON 7); p. 9, Section H, Statement 40 (ORL 43); Statement 43 (TAM 9).

Advisory Board

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5.3T Failure to Get Consensus Among Key Stakeholders.

Advisory Board

Brainstorming Session, July 11, 2002, A 5.04T; B5.01T; B5.02T; B5.09T; B5.11T.

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FINDINGS OF FACT

Louisiana Joint Legislative Juvenile Justice Commission: Findings of Fact

I. Basic Data: The State of Youth in Louisiana

A. Population:¹

1. Louisiana

According to most recent U.S. Census data, between 1990 and 1999, the number of youth in Louisiana under the age of 18 dropped by one percent. The number of youth aged zero to four dropped by five percent, and the number of youth between the ages of five and 11 dropped five percent. The number of youth between the ages of 12 and 14 increased by five percent while the number of youth between the ages of 15 and 17 increased 14 percent.

Youth under the age of five comprise 26 percent of the child (under 18) population. Youth between the ages of five and nine comprise 28 percent of the population, youth between the ages of 10 and 14 comprise 29 percent of the population, and youth between 15 and 17 comprise 18 percent of the population.

Fifty-six percent of youth under 18 are White, 40 percent are Black or African-American, one percent are Asian, one percent are American Indian/Alaska Native, two percent are classified as Two or More races, and one percent are classified as Other Race.²

In 1990, Louisiana ranked third in the nation for percent of households with under-18 year old youth living in the home, with 42 percent of homes. In 2000, Louisiana ranked sixth nationally in this category, with 39 percent of homes.

2. United States

Nationally, the percentage of the population under 18 increased by 13 percent between 1990 and 2000. The percentage of youth under five increased by 4.5 percent, and the percentage of youth between the ages of five and 17 increased by 17 percent.

Youth under five comprise 27 percent of the child (under 18) population, youth between the ages of five and 9 comprise 28 percent of the population, youth between 10 and 14 comprise 28 percent of the population, and youth between 15 and 17 comprise 17 percent of the population.

¹ Population data are from the most recent U.S. Census. They were obtained through the Annie E. Casey Foundation's interactive census feature at their web-site: <http://www.aecf.org/kidscount/census/>.

² Totals may not equal 100 percent because of rounding. Hispanics, who can be of any race, are included in these figures.

Nationally, 69 percent of youth under 18 are White, 15 percent are Black or African-American, three percent are Asian, one percent are American Indian/Alaska Native, four percent are classified as Two or More races, eight percent are classified as Other Race.³

B. Child Well-Being:⁴

Percent low birth-weight babies. In 1990, nine percent of all babies born in the state were low birth weight. This rate increased in 1999. That year, ten percent of all babies born were low-weight. The corresponding rate for the nation was seven and eight percent in each of the two years.

Infant mortality rate. In 1990, eleven deaths per 1,000 live births were reported in Louisiana. In 1999, the figure dropped to nine deaths per 1,000 live births. The corresponding rate for the nation was nine and seven in each of the two years.

Child death rate. In 1990, 38 children per 100,000 between the ages of 1-14 died in the state. The rate decreased in 1999 to 34. The corresponding rate for the nation was 31 and 24 deaths in each of the two years.

Rate of teen deaths by accident, homicide and suicide. In 1990, 115 teens per 100,000 children between the ages of 15 and 19 died by accident, homicide or suicide in the state. This rate dropped in 1999 to 72 teens per 100,000 children. The corresponding rate for the nation was 71 and 53 deaths in each of the two years.

Teen birth rate. In 1990, 49 of the births per 1,000 were to females between the ages of 15 and 17 in the state. In 1999, this figure dropped to 38. The corresponding rate for the nation was 37 and 29 births in each of the two years.

Percent of teens who are high school dropouts. In 1990, 13 percent of youth between the ages of 16 and 19 in the state had dropped out of school. In 1999, this figure had dropped to ten percent. The corresponding rate for the nation was ten percent in each of the two years.

Percent of teens who are not attending school and not working. In 1990, 13 percent of teens between 16 and 19 in the state were not attending school and not working. In 1999,

³ See note 2 above.

⁴ Data for the first ten indicators in this section were obtained from the Annie E. Casey Foundation's Kids Count Data Book Online at <http://www.aecf.org/kidscount/kc2002/>. Data for the last three indicators in this section were obtained from *PRB/Kids Count Special Report. Children At Risk, State Trends 1990-2000: A First Look at Census 2000 Supplementary Survey Data*. Annie E. Casey Foundation. No date. Available at www.kidscount.org or through the Population reference Bureau at www.prb.org.

this figure had dropped to 11 percent. The corresponding rate for the nation was ten and eight percent in each of the two years.

Percent of children living with parents who do not have full-time, year-round employment. In 1990, 41 percent of children in the state lived with parents who did not have full-time, year-round employment. In 1999, this figure had dropped to 34 percent. The corresponding rate for the nation was 30 and 25 percent in each of the two years.

Percent of children in poverty. In 1990, 32 percent of children in the state lived in poverty. In 1999, this figure had dropped to 26 percent. The corresponding rate for the nation was 20 and 19 percent in each of the two years.

Percent of families with children headed by a single parent. In 1990, 27 percent of children in the state lived in families that were headed by a single parent. In 1999 this figure had increased to 36 percent. The corresponding rate for the nation was 24 and 27 percent in each of the two years.

Percent of children living with a household head who is a high school dropout. In 1990, 30 percent of children in the state lived in a household in which the head of the house was a high-school dropout. In 2000 that rate decreased to 21 percent. The corresponding rate for the nation was 22 and 19 percent in each of the two years.

Percent of children living in low-income working families. In 1990, 23 percent of children lived with working families who were considered low-income (where at least one parent worked 50 or more weeks a year but for whom income was below 200 percent of the poverty line). In 2000 that rate increased to 28 percent. The corresponding rate for the nation was 19 and 22 percent in each of the two years.

Percent of children living in households without a telephone or vehicle. In 1990, 11 percent of children in the state lived in households without a telephone, and 14 percent of children lived in households without a vehicle. In 2000 the rate for both had dropped to four and ten percent for telephones and vehicles, respectively. The corresponding rate for the nation was eight and four percent for households without a telephone in each of the two years, and nine and seven percent for households without a vehicle in each of the two years.

C. Youth and School⁵

Student enrollment. There were 741,533 students enrolled in the state's K-12 public schools for the 2000-2001 school year. Forty-nine percent were male and 51 percent were female. White students comprised 49 percent, black students comprised 48 percent, and Hispanic, Asian and American Indian students comprised one percent each of the public school student body.

According to the National Center for Education Statistics (NCES), public school enrollment increased nationwide by 9 percent between 1992 and 1999. Public school enrollment decreased by four percent in Louisiana during the same period. NCES projects a decrease of about six percent in public school enrollment between 1999 and 2010 in Louisiana and an increase of about one-half of one percent in public school enrollment nationwide for the same time period.

Approximately 16 percent of the state's youth attend nonpublic school. This is higher than the national rate of ten percent. One percent of school-aged children in the state are home-schooled. This is slightly less than the percentage of youth that are home-schooled nationally.

Family economic condition. NCES also reports that 58 percent of youth in the state's public schools are eligible for free or reduced lunch. (Based on current U.S. Government guidelines, eligibility for the free lunch program is met if earning is less than \$21,495 for a family of four.)

School Attendance. In 2000-2001, the statewide attendance rate for youth in grades pre-k through 12 dropped to 93.7 percent from 94 percent in the prior year. This represents an average of approximately 47,000 students who were absent on any given day.

Dropout Rates. In 1999-2000 (the most recent school year for which data are available), nine percent, or 19,000 students in grades 9-12 dropped out of school. The dropout rate for students in these grades has fallen over the last three years.

Suspensions and Expulsions. The in-school suspension rate for the 2000-2001 school year was nine percent. This was an increase of one percent over the prior year. The out of school suspension rate in both years was just under ten percent.

Middle schools suspended the highest number of their students. During the 2000-2001 school year, 18 percent (25,415) of middle school youth received an in-school suspension, and 17 percent (23,350) of middle school youth received an out of school suspension.

Elementary schools suspended the lowest number of their students. During the 2000-2001 school year, four percent (15,757) of elementary school youth received an in-school

⁵ Unless otherwise indicated, information in this section was obtained from the Louisiana Department of Education's *2000-2001 Louisiana State Education Progress Report*. Released March 2002.

suspension, and six percent (22,612) of elementary school youth received an out of school suspension.

In the same school year, approximately one-half of one percent of all public school students in the state received an in-school (2,805 students) or an out-of school (3,089 students) expulsion. These rates were not significantly different for those in the prior year.

Middle schools expelled the highest number of their students. During the 2000-2001 school year, one percent (1,362) of middle school youth received an in-school expulsion, and one percent (1,370) of middle school youth received an out of school expulsion.

Elementary schools expelled the lowest number of their students. During 2000-2001, less than one-half of one percent (352) of elementary school youth received an in-school expulsion, and less than one-half percent (287) of elementary school youth received an out of school expulsion.

Spending per pupil. In 1999-2000, the most recent school year for which the data are available, NCES reports that spending per pupil in Louisiana schools was \$5,804 annually, up approximately 12 percent from school year 1997-1998. This figure is approximately 18 percent less per pupil per year over the same time period than the national average.⁶

Class size. The state's Board of Secondary and Elementary Education (BESE) has set limits on the number of students per class in the state's public schools. The maximum number of students in classes for Kindergarten through third grade is 26. The maximum number of students in classes in grades four through 12 is 33. The percentage of classes statewide with 20 or fewer students in the state has been increasing since 1993.

According to the state's Department of Education, Louisiana ranks 22nd in the nation with respect to the ration statewide between students and teachers, with a student teacher ration of 15 to 1. The national average is 16 students per teacher.

Faculty Qualifications

In 2000-2001, 85 percent of school faculty members statewide were fully certified in the courses they taught. The percentage of certified teachers in the state has been declining slightly since 1991.

Thirty-eight percent of all teachers in the state have advanced degrees. Nationally, 46 percent of teachers have advanced degrees.

⁶ National Center for Education Statistics, *Statistics in Brief*. Data for 1997-1998 are found on page 10 of the May 2002 report. Data for 1998-1999 are found on page 11 of the March 2001 report. Data for 1999-2000 are found on page 10 of the May 2002 report. This information is also available on-line at <http://www.nces.ed.gov/>.

Teacher Salary

In 1999, the average teacher salary in the state was \$33,019. The average beginning teacher salary during the same period was \$27,373. The national average teacher salary for the same period was \$41,724. Louisiana ranks 45th out of all states with regard to teacher pay, and 15th out of the state's 16 peer (southern) states. Over the last decade, teacher salaries in the state have increased 36 percent, versus 33 percent nationally.

D. Youth Offenders and Victims

1. Youth Offenders

Overall, the juvenile contribution to crime has declined. Arrest rate for all crimes for juveniles remained nearly unchanged between 1991 and 2000 and decreased 15 percent between 1996 and 2000 and by five percent between 1999 and 2000.⁷

Violent Crime: Louisiana. In 2000, Louisiana ranked 42nd out of 49 states reporting relative to arrests for Violent Crime Index⁸ offenses. The juvenile arrest rate⁹ for these crimes in that year in the state was 408.¹⁰ The corresponding rate for the nation was 330.¹¹

Arrests for Violent Crime Index offenses of youth under 18 in Louisiana increased by nearly one-third between 1996 and 1998.¹² Rates are currently near 1996 levels, and down 29 percent since 1997.

Violent Crime: United States. While peaking in 1994, the juvenile arrest rate for violent crime decreased by 17 percent between 1991 and 2000 to its lowest level since the mid-1980s.¹³

Of all violent crimes for which juveniles were arrested, the arrest rate for murder showed both the greatest increase and the greatest decline between 1980 and 2000. This rate peaked in 1993, when 3,800 juveniles were arrested nationwide for murder. In 2000, this rate had fallen by 74 percent.¹⁴ The juvenile arrest rate for forcible rape in 2000 was at its lowest level in at least twenty years.¹⁵ The juvenile arrest rate for robbery was lower

⁷ Snyder, H. *Juvenile Arrests 2000*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. November 2002. Page 3.

⁸ The Violent Crime Index is comprised of the following offenses: murder, non-negligent manslaughter, forcible rape, robbery and aggravated assault.

⁹ Arrest rates are those per 100,000 juveniles ages 10-17.

¹⁰ Snyder, *supra* note 7, at 11.

¹¹ *Id.*

¹² *Crime in the United States* reports (Washington, DC: U.S. Government Printing Office, 1997, 1998, 1999, 2000, 2001 and 2002). Table 69.

¹³ Snyder, *supra* note 7, at 4.

¹⁴ *Id.* at 6.

¹⁵ *Id.*

than at any point since at least 1980,¹⁶ and the juvenile arrest rate for aggravated assault, while down from a high in 1994, had declined to rates last observed in the late-1980's.¹⁷

Property Crime:¹⁸ Louisiana. In 2000, Louisiana ranked 25th out of 49 states reporting relative to arrests for Property Crime Index offenses. The juvenile arrest rate for these crimes in that year was 1,810.¹⁹ The corresponding rate for the nation was 1,686.²⁰

Arrests for Property Crime Index offenses of youth under 18 in Louisiana are down 13 percent since 1996, after reaching a six-year high in 1997.²¹ The arrest rate in 2001 increased by 24 percent between 2000 and 2001.

Property Crime: United States. The juvenile arrest rate for property crime decreased by 37 percent between 1994 and 2000 to its lowest level since at least the 1960s.²²

The juvenile arrest rate for burglary declined consistently and significantly between 1980 and 2000; the arrest rate for burglary in 2000 was less than half that of 1980.²³ The juvenile arrest rate for larceny-theft remained nearly unchanged through the 1980s and into the 1990s, before falling by nearly one-third between 1997 and 2000 to a two-decade low.²⁴ The juvenile arrest rate for motor vehicle theft increased dramatically between the mid 1980s and mid-1990s before falling to mid-1980 levels in 2000.²⁵ The juvenile arrest rate for arson peaked in 1994 before falling in 2000 to late 1980 levels.²⁶

2. Youth as Victims:

Incidence of Youth Maltreatment. Child maltreatment occurs when a caretaker is responsible for or permits the abuse or neglect of a child. Maltreatment can take the form of physical abuse, sexual abuse, emotional abuse, physical neglect or emotional neglect.

According to the Department of Social Services' Office of Community Services, there were decreases across the board between 1999 and 2002 among indicators used to measure the incidence of abuse in neglect.²⁷ Statewide there were 25,598 reports of abuse and neglect in 2002 (compared to 28,123 in 1999); there were an estimated 10,257 children substantiated as victims in 2002 (compared to 12,614 in 1999); and there were

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ The Property Crime Index is comprised of the following offenses: burglary, larceny/theft, motor-vehicle theft and arson.

¹⁹ Snyder, *supra* note 7, at 11.

²⁰ *Id.*

²¹ Crime in the United States, *supra* note 12.

²² Snyder, *supra* note 7, at 5.

²³ *Id.* at 7.

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ Data obtained by the Department of Social Services, Office of Community Services from their monthly reports. According to the department, this information is obtained from TIM1300R1 reports and TIPS downloads.

2,372 children removed from the home in 2002 (compared to 2,389 in 1999). At the end of fiscal year 2002, there were 1,413 youth available for adoption in the state. This is an increase of nine percent since 2000.

Decreases were also observed in 2002 relative to 1998 data in the number of children in foster care at any time during the year (7,016 in 2002 compared to 7,892 in 1998) and the number of youth in care on the last day of the year (4,531 in 2002 compared to 5,068 in 1998).²⁸

The trend in child maltreatment nationally was in a similar direction. The U.S. Department of Health and Human Services estimates that child victimization decreased between 1993 and 2000, the most recent year for which national data are available.²⁹

Impact of Youth Maltreatment. Generally, suffering abuse or neglect reduces chances that youth will pass through adolescence with no serious problems, and a history of childhood maltreatment almost doubles the risk that teenagers will experience multiple problems during adolescence.³⁰ In addition, research indicates that maltreated youth are more likely than youth who are not maltreated to be arrested later in life and that youth who had been victims of child abuse or neglect were significantly more likely than nonvictims to have an official record of delinquency.³¹

The trauma resulting from maltreatment has also been linked to other of other adolescent problems; abused or neglected youth are significantly more likely to engage in violent behavior, become pregnant during adolescence, use drugs, have lower grade point averages, and/or experience mental health problems.³²

Youth as Victims of Crime. In 1995 and 1996, the most recent year for which data are available, juveniles were twice as likely as adults to be victims of serious violent crime and three times as likely to be victims of simple assault.³³ The property crime victimization for juveniles was also greater than that for adults.³⁴ The Bureau of Justice Statistics reports that only about one-half of the serious and violent victimizations of juveniles are reported to police or other authorities.³⁵

Parallel data for youth victimization of crime for Louisiana were not available.

²⁸ See note 27.

²⁹ See U.S. Department of Health and Human Services, Administration for Children and Families National Clearinghouse on Child Abuse and Neglect Information web site at <http://www.calib.com/nccanch/stats>.

³⁰ Wiebush, R., et al., *Preventing Delinquency Through Improved Child Protection Services*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. July 2001. Page 3.

³¹ *Id.* at 2.

³² *Id.* at 3.

³³ Snyder, H. & Sickmund, M., *Juvenile Offenders and Victims: 1999 National Report*. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention. 1999. Page 26.

³⁴ *Id.*

³⁵ Snyder, *supra* note 33, at 27.

II. Key Findings from Research

A. Causes and Correlates of Juvenile Offending

Research indicates that the career patterns of youthful offenders can and should be identified early in order to disrupt offending patterns. Proper screening and assessment and the use of targeted and proven intervention options are critical to success in this regard.³⁶ Assessments and interventions should be responsive to the risk and protective factors known to be associated with the incidence, nature and prevention of problem behavior.

Research has also identified that there are pathways to delinquency that exist. These pathways are routes—departure on which can begin fairly early in life—along which certain youth are likely to persist. Failure to cease progression along one of these pathways can result in problem acts which begin as less serious disruptive behaviors, but which can turn into moderately serious behaviors and then into very serious acts.³⁷

Risk and Protective Factors. Extensive research has helped identify those risk factors in a youth's life that contribute to delinquent behavior and which can help predict youth violence.³⁸ These risk factors exist within multiple domains of a youth's life. Examples of risk factors in the *community* domain include extreme economic and social deprivation, or the availability of drugs and firearms. Examples of risk factors in the *family* domain include a family history of the problem behavior, or the presence of family conflict. Examples of risk factors in the *school* domain include early academic failure, or a lack of commitment to school. Examples of risk factors in the *peer* domain include friends who engage in the problem behavior, or early initiation to the problem behavior. Examples of risk factors in the *individual* domain include mental illness, or constitutional factors such as psychological or biological basis of low impulse control behaviors.³⁹

A direct relationship exists between the number of risk factors and the severity, violence and chronicity of offending, and as risk factors accumulate and interact, the risks for delinquency increase dramatically.⁴⁰

Protective factors also exist which can insulate a youth from the harmful effects of exposure to these risk factors. Among these are intelligence, positive social orientation, a resilient temperament and other such qualities that are likely to promote social bonding. The presence of such qualities, and community and other supports to promote or sustain

³⁶ Tatem, Kelley, B., et al., *Developmental Pathways in Boys' Disruptive and Delinquent Behavior*.

Washington, DC: Office of Juvenile Justice and Delinquency Prevention. December 1997. Pages 17-18.

³⁷ See James C. Howell, *Juvenile Justice and Youth Violence*. (Thousand Oaks, CA: Sage Publications Inc. 1997.) Pages 159-161.

³⁸ See Hawkins, J. David et al., *Predictors of Youth Violence*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. April 2000.

³⁹ For more on the risk and protective factor discussion, see James C. Howell, Ed., *Guide for Implementing the Comprehensive Strategy for Serious, Violent and Chronic Juvenile Offenders*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. June 1995. Pages 18-22. See also Howell, *supra* note 36, at 133-153.

⁴⁰ Howell, *supra* note 37, at 163.

them, help create a “web of protection” for youth exposed to these risk factors and are at risk themselves of delinquency and violence.⁴¹

This research has clear implications for juvenile justice programming and suggests that targeted investments in interventions designed to mitigate risk and promote resiliency among youth and families most in need is likely to result in a favorable yield of the investment of limited juvenile justice resources.

B. Emerging Issues

The list of issues presented below is neither an exhaustive list of the most pressing juvenile justice matters facing the state, nor does their inclusion in this document suggest that they are the most important ones facing the state as it contemplates the reform and restructure of the juvenile justice system. The four issues presented below do, however, represent opportunities for system improvement in a manner consistent with the Advisory Board’s recommendations to the Commission.

1. Disproportionate Minority Confinement

Research conducted in the late 1980s and early 1990s helped propel the issue of the disproportionate confinement of minority youth (disproportionate minority confinement, or DMC), into an issue of national significance. This research, coupled with aggressive advocacy efforts, eventually compelled the federal government to recognize DMC as a priority, and since 1988, states have been mandated to develop responses to address DMC in order to continue to receive certain federal funds. DMC exists when “the proportion of juveniles detained or confined in secure correctional facilities, jails and lockups who are members of minority groups...exceeds the proportion such groups represent in the general population.”⁴²

This apparent disparity in the treatment of minority versus non-minority youth is well documented.⁴³ To be sure, research into the underlying factors contributing to DMC suggests that its causes are complex and interrelated. DMC is becoming to be understood, however, as the result of juvenile justice processes that are not racially neutral—the by-product of unintentional biases within the system.⁴⁴ The unwanted disparity in treatment that results is a matter of no small concern. Research suggests that among the factors contributing to this disparate treatment (i.e., the different, and sometimes more punitive, treatment of minority youth than their non-minority peers charged with comparable crimes and prior offense histories) of minority youth in the system are inherent system bias; the accumulated effects of local policies and practices,

⁴¹ *Id.* at 164.

⁴² Devine, Patricia et al., *Disproportionate Minority Confinement: Lessons Learned From Five States*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. December 1998. Page 2.

⁴³ See Poe-Yamagata, Eileen and Jones, Michael A., *And Justice For Some*. National Council on Crime and Delinquency/Building Blocks For Youth. April 2000. See also Pope, Carl E. et al., *Disproportionate Minority Confinement: A Review of the Research Literature from 1989 Through 2001*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. No date.

⁴⁴ Devine, *supra* note 42, at 2.

and other social conditions (such as community, family, school, peer and individual risk factors which may disproportionately affect minority families).⁴⁵

Options available to communities to address the problem of DMC include enhancing the ability of juveniles and their families to navigate the juvenile justice system and advocate on their own behalf, and increased collaboration among juvenile justice agencies and community groups in order to develop prevention programs as well as alternative diversionary programs and sanctions for appropriate youth.⁴⁶

2. Restorative Justice

Traditional juvenile justice system responses to youthful offending have focused on the needs and the risks of offenders. In the last few years, this model of practice has been deemed inadequate in terms of meeting the needs to two other equally important parties—the victim and the community. The “Restorative Justice” movement is one that has been gaining attention nation-wide as it endeavors to make a place for victims in the juvenile justice process. In so doing it has the promise of encouraging significant system reform opportunities.⁴⁷

Among the Restorative Justice movement’s key principles are the notions that crime is injury and that it hurts individual victims, communities and juvenile offenders, and that it creates an obligation to make things right, and that all these parties should be able to be a part of the response to the crime.⁴⁸ The focus of the Restorative Justice model is on the offender taking responsibility for what has been done and then for the offender to take actions to help repair that harm. The focus is on restoration and on mending relationships that have been abridged as a result of the offense, rather than on punishment in the conventional justice system sense.⁴⁹

Giving the victim and the community a role in the juvenile justice process can take a number of different forms. Victim offender mediation programs involve the use of trained mediators to facilitate discussions between victims and offenders. In these settings, victims are permitted to express the full impact of the crime on their lives and they are given an opportunity to assist in the development of plans to repair the harm done.⁵⁰ Other models such as Victim Impact Panels, Sentencing Circles, Community Reparative Boards and Reparative Court Hearings likewise provide for the formal and meaningful input of victims, family members and others in addressing the harm inflicted

⁴⁵ Devine, *supra* note 42, at 6-7, and Pope, Carl E. et al., *Disproportionate Minority Confinement: A Review of the Research Literature from 1989 Through 2001*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. No date. Page 5.

⁴⁶ Devine, *supra* note 42, at 9.

⁴⁷ See Bazemore, Gordon and Umbriet, Mark, *Guide For Implementing the Balanced and Restorative Justice Model*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. December 1998.

⁴⁸ *Id.* at 5.

⁴⁹ *Id.*, and OVC Bulletin: *Victims, Judges and Juvenile Court Reform Through Restorative Justice*. Washington, DC: Office of Justice Programs, Office for Crime Victims. October 2000. Page 4.

⁵⁰ Bazemore, Gordon, *What’s “New” About the Balanced Approach?* Juvenile and Family Court Journal, Winter 1997. Page 10.

and in crafting a sanction.⁵¹ Research indicates that victims are more likely to be satisfied with a process that provides for this kind of input.⁵²

3. Girls in the Juvenile Justice System

Statistics show that during a good part of the 1990s, increases in arrests among girls under 18 were greater, or declines in arrests were smaller, for girls than for boys in almost every offense category.⁵³ During the period 1991 to 2000, arrest for girls increased markedly in the following categories: aggravated assault (increase of 44 percent), simple assault (increase of 78 percent), and drug abuse violations (increase of 220 percent).⁵⁴ In 2000, girls accounted for 28 percent of all arrests, with girls between the ages of 13 and 15 responsible for most of the arrests of all girls under 18 for nearly every offense type.⁵⁵

Girls follow a different pathway into the juvenile justice system—a pathway that is often marked at the start by physical, sexual or emotional victimization.⁵⁶ Vulnerability to abuse, early and unprepared sexual activity and its associated threats of disease and pregnancy, and the unique physical and social stressors associated with a girl's transition through puberty and into adulthood all combine to warrant a special and separate look at the prevention and treatment needs of girls in the juvenile justice system.

Research such as this which shows an increase in the incidence of female offending as well as that which suggests that traditional responses to wayward youth may not be responsive to girls' unique developmental, social and emotional needs, have created a sense of urgency around the need to develop a comprehensive continuum of gender-responsive prevention, intervention and graduated sanctions services.⁵⁷

Elements of effective programming for girls include that which provides space that is physically and emotionally safe, that which provides opportunities to develop healthy relationship with other women, that which addresses women's health issues, and parenting skills.⁵⁸

⁵¹ *Id.*

⁵² Louisiana State University School of Social Work, Office of Social Service Research and Development. *The OSSRD Connection. Victim-Centered Services.* August 2001.

⁵³ Snyder, *supra* note 7, at 9.

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ See Acoca, Leslie, *Investing in Girls: A 21st Century Strategy.* Juvenile Justice, Volume VI, Number I. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. October 1999.

⁵⁷ See *Juvenile Female Offenders: A Status of the States Report.* Washington, DC: Office of Juvenile Justice and Delinquency Prevention, October 1998, and *Guiding Principles for Promising Female Programming: An Inventory of Best Practices.* Washington, DC: Office of Juvenile Justice and Delinquency Prevention. No date.

⁵⁸ *Id.*

4. Mental Health and Juvenile Justice

The mental health needs of youth in the juvenile justice system is an issue that has been gaining attention in recent years.⁵⁹ Recent research has indicated that the incidence of mental health problems among juvenile justice system involved youth may be higher than has been assumed. Studies show that rates of mental disorders among these youth are two to three times higher than among youth in the general population, that a high percentage of youth involved in the juvenile justice system have a diagnosable mental health disorder, that at least one out of every five youth in the juvenile justice system has a serious mental health disorder, that many of these youth have a co-occurring substance abuse disorder,⁶⁰ and that among detained youth, nearly two-thirds of boys and nearly three quarters of girls have at least one psychiatric disorder (compared to the estimated 15 percent of youth in the general population thought to have psychiatric illness).⁶¹

Statistics such as these, and a corollary finding that there appears to be increasing reliance on the juvenile justice system to care for youth with mental illness have significant implications for reforming the manner in which child-serving agencies address the mental health needs of juvenile justice system-involved youth.⁶² Collaboration among agencies, improved screening and assessment through the use of reliable, valid and easy to use instruments, and the use of interventions that have been demonstrated to be effective with this population are key elements of reform.⁶³

The implementation of such targeted reform would have the benefit of diverting appropriate youth from the juvenile justice system into other, more appropriate systems of care, and can increase the chances that a youth receives treatment. Community based wrap-around services, which involve the pooling dollars among agencies with responsibilities for serving the mental health needs of youth and families, have also been shown to be effective for certain types of offenders with mental illness.⁶⁴

⁵⁹ See Coccozza, Joseph J. and Skowyra, Kathleen R., *Youth with Mental Health Disorders: Issues and Emerging Responses*. Juvenile Justice, Volume VII, Number I. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. April 2000. Page 3.

⁶⁰ Coccozza, *supra* note 59, at 5-7.

⁶¹ National Institute of Mental Health News Release: Psychiatric Disorders Common Among Detained Youth. December 10, 2002. Contact: Jules Asher, (301) 443-4536.

⁶² Coccozza, *supra* note 59, at 4.

⁶³ Coccozza, *supra* note 59, at 7-8, and presentation by Joseph J. Coccozza, National Center for Mental Health and Juvenile Justice, to LSU Health Sciences Center Juvenile Corrections Program, December 12, 2002. See also Nordness, Philip D. et al., *Screening the Mental Health Needs of Youths in Juvenile Detention*. Juvenile and Family Court Journal. Spring 2002.

⁶⁴ See Kamradt, Bruce, *Wraparound Milwaukee: Aiding Youth with Mental Health Needs*. Juvenile Justice, Volume VII, Number I. Washington, DC: Office of Juvenile Justice and Delinquency Prevention. April 2000.